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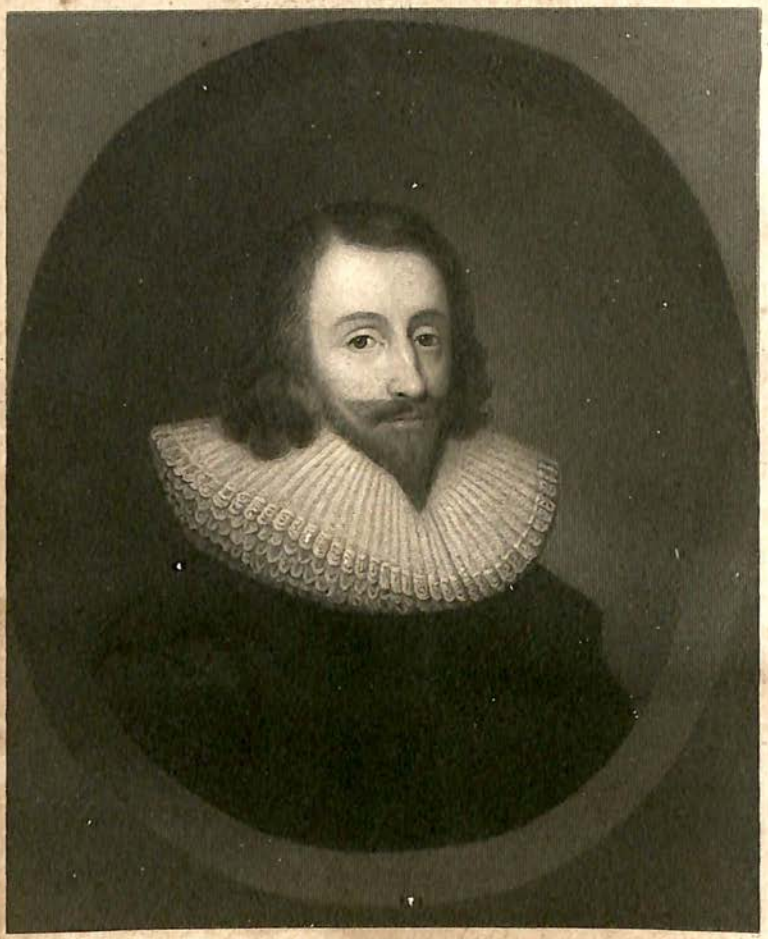

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SIR JOHN ELIOT:

A BIOGRAPHY

1590 — 1632.

BY JOHN FORSTER.

IN TWO VOLUMES.

VOL. I.

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TO ALL

WHO VALUE THE REGULATED LIBERTY ENJOYED IN ENGLAND,

WHO ATTRIBUTE ITS PRESERVATION TO A POWERFUL LEGISLATURE,

AND WHO HAVE ANY INTEREST IN KNOWING

WHAT WAS DONE AND SUFFERED TWO HUNDRED AND THIRTY YEARS AGO

TO ESTABLISH THE INDEPENDENCE OF THE HOUSE OF COMMONS,

I OFFER THIS ACCOUNT OF

SIR JOHN ELIOT.

1864. *J. F.*

PREFACE.

THE only excuſe I can offer for the extent and bulk of the preſent book is, that it is not a reproduction, under altered forms, of materials already acceſſible in exiſting books, but is an entirely new contribution to the knowledge of the period I treat of, and to the means of judging correctly its actors and events.

If any one had told me when I began, now very many years ago, the ſtudy of the popular movement againſt the Stuart princes in the ſeventeenth century, that there exiſted in the archives of one Engliſh family the ſtill inedited papers of the moſt eloquent leader of the firſt three parliaments of Charles the Firſt; that among theſe papers, numbering between two and three hundred original letters, lay the familiar correſpondence of Sir John Eliot with ſuch men as Hampden, Selden, Bevil Grenvile, Richard Knightley, Sir Oliver Luke, Sir Robert Cotton, Edward Kyrton, Sir William Armyne,

Sir Dudley Digges, Sir Henry Marten, Benjamin Valentine, Lords Warwick and Lincoln, Biſhop Hall, and many others; that they contained an elaborate Memoir, *written by Eliot*, with innumerable abſtracts of ſpeeches not elſewhere reported, of the firſt and leaſt known (but by no means leaſt memorable) parliament of Charles's reign, as well as careful and ample notes, taken by Eliot in the houſe of commons, of the principal incidents of the ſecond parliament; that they contributed to the illuſtration of the momentous matters debated then and in Charles's third parliament, as well as in the laſt of James, no leſs than twenty important ſpeeches actually ſpoken by Eliot himſelf and not reported in any of the hiſtories, together with reviſed and much amended copies of the only three great ſpeeches forming all that were before believed to have ſurvived of this maſter of eloquence; and that finally they included, with other intereſting fragments found after Eliot's death in his priſon, touching perſonal appeals in vindication of the courſe taken by him, intended for a later time, and notes for a ſpeech againſt the violation of the public liberties by his impriſonment, which he propoſed to have ſpoken in the parliament that did not meet until he had been eight years in his grave; if, I ſay, it had been ſtated to me that ſuch manuſcript treaſures as theſe were lying in the old family manſion ſtill occupied by the deſcendants of Sir John Eliot, I ſhould hardly have dared to think credible what I too eagerly ſhould have deſired to believe. But everything thus briefly deſcribed, and much more, the reader will find in the volumes before him.

The Earl of St. Germans entruſted to my unreſerved

uſe, two years ago, the whole of theſe priceleſs family papers; and I can only hope that this book, which owes its exiſtence to the confidence ſo placed in me, may be found to juſtify it. For thus alone is it poſſible that proper acknowledgment may be made for a ſervice to which any mere expreſſion of thanks would be altogether inadequate.

It is right I ſhould add that the ſame deſire to ſee juſtice done to his great anceſtor induced Lord St. Germans ſeveral years ago, when he was yet Lord Eliot, to ſubmit portions of theſe papers (compriſing letters only) to Mr. D'Iſraeli, then engaged in his *Commentaries on the Life of Charles the Firſt*; and that this led to the publication, at that time, of what was termed "the Eliot "correſpondence." It conſiſted of ſeven entire letters and five fragments of letters by Eliot; of eight written by Hampden; of a ſhort letter by Holles; and of a portion of one by Scawen; all, with exception of Hampden's, printed ſo incorrectly, and with ſuch extraordinary omiſſions, as to be in reality of little worth. Theſe matters find notice, with due correction, in their proper place in the biography; and are only mentioned here becauſe of the ſtatement put forth at the time by Mr. D'Iſraeli, to explain his having limited himſelf to the ſelection of leſs than twenty letters out of a volume containing more than a hundred and fifty.

He ſpeaks of the labour which the examination of that book of manuſcripts had coſt him, as the toil of many a weary morning, dimming his eyes with "all ſuch *writing* "as was never read." The letters of Hampden only he found to be legible; and it delighted him to think that by his hand his country would poſſeſs memorials

of Eliot and of his friend, of which no other remains were known to exiſt. But great *ſhould* be the glory, he told his readers, for the ſtrife had been hard. "The "autographs of Sir John long proved too hard for my "deciphering. Days, weeks, and months paſſed, and "I was ſtill painfully conning the redundant flouriſhes "and the tortuous alphabet of Sir John, till the volume "was often cloſed in the agony of baffled patience. I "renewed my apologies for detaining a volume pre-"cious in the domeſtic archives of St. Germans. The "unlimited indulgence relieved my weariſome repug-"nance; and zealous to obtain ſome inſight into the "feelings and the thoughts of two illuſtrious characters "in our hiſtory, I paſſed through my martyrdom" (*Eliot, Hampden, and Pym*, 1832, p. 9).

From this the reader of the preſent volumes may probably infer that the martyrdom of their writer has been ſomewhat more ſevere, when I inform him that they include, either textually or in ſubſtance, the entire contents of that book of manuſcripts of which the very imperfect maſtery of leſs than a tenth part ſo ſeverely taxed the patience and ſight of an experienced hiſtorical enquirer; that, in aid of their ſubject, the contents of ſeven other volumes of equal bulk have been deciphered, ſifted, and uſed; and, finally, that from three additional packets of detached papers, the majority in rough draft too often almoſt illegible, ſome in pencil nearly faded, and all apparently untouched ſince Sir John Eliot's death, ſome of the moſt important diſcoveries in this biography have been made.

Such are my obligations, for which it would indeed be difficult to find fitting language of acknowledgment,

to the Earl of St. Germans; who alſo entruſted to me, for the purpoſe of being engraved, two original paintings of his anceſtor at Port Eliot, one of them of ſurpaſſing intereſt.

The ſtate papers, and ſome manuſcript collections of my own, have furniſhed to this work the reſt of its materials. From the Record Office I have been able to illuſtrate, by a very large number of letters till now unpubliſhed, the early connection of Eliot with ſtate employments; the attempts, after his conduct in the ſecond parliament, to deprive him of his vice-admiralty, and, by means of hired agents of the King and the Duke of Buckingham, to effect the ruin of his fortunes; and the proceedings againſt him in the courts, after the diſſolution of the third parliament. In all the inſtances where I have reſorted to theſe invaluable documents of the period, rendered lately ſo acceſſible by the perfect arrangements of the Maſter of the Rolls and the admirable calendars of Mr. Bruce, every quotation has been taken from the originals.

A more careful and minute examination of the contemporary and other printed records having been rendered neceſſary by the new illuſtrations thus obtained, this biography of Eliot will probably be found to preſent a picture of the opening of the ſtruggle againſt the government of Charles the Firſt, in many reſpects more detailed and accurate than has yet been afforded. Not merely was its later intereſt ſo abſorbing, and the iſſues involved ſo momentous, but its actors claimed neceſſarily ſo large a ſpace from the hiſtorians, that they had ſome excuſe for leſs carefully attending to thoſe earlier leaders of the conflict who were its firſt inſpiring

minds. A ſtronger circumſtance in proof of this could hardly be named, than that no biography of Eliot exiſted in any form until I publiſhed a ſketch of him in my Stateſmen of the Commonwealth in 1834. Yet no one will ever fully underſtand what the riſing againſt the Stuarts meant who is not thoroughly acquainted with its beginning; with the loyalty to the throne that then accompanied the reſolve of its heroes to maintain the popular liberties; and with the reverent regard for law and precedent by which all its opening movements were ſo implicitly guided as to have left upon it to the very laſt a deep and ineffaceable impreſs. For theſe reaſons it ſeemed eſpecially deſirable that a more exact account than elſewhere exiſts of what preceded and attended the enactment of the Petition of Right ſhould be here ſupplied. It was neceſſary to the proper comprehenſion, as well of the new illuſtrations of that great third parliament afforded by the Port Eliot manuſcripts, as of the memoir and notes on the parliaments preceding it in which the patriot himſelf plays the part of hiſtorian.

For the perſonal characteriſtics of Sir John Eliot eſtabliſhed by the papers thus given to the world, the biography will ſpeak ſufficiently. Few public men have ſuffered more from evil party ſpeaking. The indignity the king would have offered to his body after death, royaliſt writers perſiſted in fixing on his memory. But the veneration and affection of his countrymen may be given now to an unſullied name. Few characters could have ſtood the teſt of the ſudden maſſes of light here poured upon his; yet no blot appears, and no brightneſs fades. Under a preſſure which even old friends and aſſociates joined to make it painful to reſiſt,

he kept to the close his faith and constancy; he calmly underwent his martyrdom; the last utterances that escaped from his prison were the expression of his belief that upon the abandonment or maintenance of the privileges of her parliaments would turn the future misery or glory of England; and he deserved, if ever man did, that her constitutional historian should have singled him out and set him apart, as THE MOST ILLUSTRIOUS CONFESSOR IN THE CAUSE OF LIBERTY WHOM THAT TIME PRODUCED.

J. F.

PALACE GATE HOUSE, HYDE PARK GATE, W.
30*th January*, 1864.

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5	4	*after* reflection *inſert* &c. *and omit lines* 5, 6, 7 already in the text
11	16	*for* ſecure *read* ſeaſon
15	8 from bottom	*for* Brookeſly *read* Brookſby
20	4 of note	*after* referred to *add* "For reſolution of the doubt here "expreſsed, ſee Vol. II. p. 722"
40	16, 17	*read* "the marquis, retaining the place of maſter of the "horſe, had become lord high admiral"
73	13	*for* command *read* committ
	16	Marten has appended this marginal note: "S[r] John Elliott "ſhewed Nutt y[t] pardon aboute the 4, 5, or 6[th] of "June."
82–6,		For ſolution of queſtions raiſed as to Conway's ſhare in Eliot's releaſe, and the exact date of it, ſee Vol. II. p. 106, *note*
92	17	*for* Its ſubſidies *read* "The two ſubſidies it had voted"
116	8 from bottom	*for* Mead *read* Mede
119	13 from bottom	*for* Mead *read* Mede
124	1	This doubt is ſolved, Vol. II. p. 106, *note*
128	5 from bottom	*for* afterwards the Sir Richard *read* "ſon of the Sir "Richard," *and add note* "See p. 263"
131	7 of note	*for* 1850 *read* 1851
149	3 of note	*dele* 1848
149	laſt	*for* volume *read* volumes
156	1	*for* Mr. *read* Sir John
164	14	*inſert note*, From the MSS. at Port Eliot.
172	laſt but two	*inſert note*, From the MSS. at Port Eliot.
173	2	*for* note *read* remark
191	laſt	*add to note*, "By an entry in the Privy Council Regiſter, it "would ſeem that the Council replied on the 14th of "February to this letter of Eliot's, by order for releaſe of "a ſhip called the Sea-horſe ſtayed by embargo, 'the "'officers of the navy being now provided with fiſh.'"

PAGE	LINE	
205	13	*for* tuth *read* truth
217	4, 12	*for* prorogation *read* adjournment
221	21	*for* Chevereux *read* Chevereuſe
122	note	*for* 227 *read* 272
308	18	*after* but *inſert* on the other hand
325	2 of note	*for* lord marſhal *read* lord chamberlain
337	9	*for* w *read* w^{ch}
345	2	Laud was not yet archbiſhop. See Vol. II. p. 361
365	9	*for* were *read* was
381	11	*dele* afteriſk *and inſert it after* late, line 23
392	8	*for* them *read* it
400	5 from bottom	*for* as Eliot as *read* "as Eliot has"
402	8 from bottom	The Maynard named was not "Serjeant," but Sir John Maynard. See Vol. II. p. 268
415	14 of note,	*for* inſtlie *read* iuſtlie. The alluſion to Clarke here quoted ſhows, that, as originally prepared, the ſpeech was to have been ſpoken on the day after the ſally of that friend of the duke: but that, as actually ſpoken, it was not delivered till ſeveral days after, is clear from its references to the previous ſpeeches in Chriſt-Church hall.
442	13	*dele* thus
456	17	I ought, perhaps, to have explained that Havre was then called Newhaven.
473	21	*for* ſervices *read* ſervice
478	24	To explain May's return, as ſtated, "again for Leiceſter," it ſhould have been ſaid that, though he had ſat in the two previous parliaments for Lancaſter, he had been returned alſo to both for Leiceſter. The preſent was a ſingle return.
478		Add to note as to Doctor Turner:—Warwick in his *Memoires* (16) deſcribes him as "an inconſiderate as "well as inconſiderable court-dependent, and one fami- "liar with, and uſually divertizing, the court-lords."
484	7	*for* own filled their *read* filled their own.

THE LIFE

OF

SIR JOHN ELIOT.

BOOK FIRST.

MR. ELIOT OF PORT ELIOT: MEMBER FOR ST. GERMANS.

1590–1619. ÆT. 1–29.

I. Anceſtry and Youthful Days.
II. Early Taſtes, Univerſity, and Travel.
III. Marriage and Parliament.
IV. Events in London, 1614 *to* 1619.

I. Ancestry and Youthful Days.

JOHN ELIOT was "a Corniſhman born, and "an eſquire's ſon."* His family, though new reſidents in that county, were of old Devonſhire deſcent. Prince alludes to them in his "Worthies;" and Fuller has identified as one of his anceſtors, the Walter Eliot named in the ſheriff's return of the gentry of the county of Devon in 1433, during the reign of Henry VI. Browne Willis, who married a lineal deſcendant (the great granddaughter) of the patriot, ſtates that this Walter Eliot allied himſelf

* Anthony Wood, *Ath. Oxon.* ii. 478, ed. Bliſs.

to the family of Sir Richard Eliot, appointed a juſtice of the king's bench by Henry VIII, but more worthy of notice as the father of Sir Thomas Eliot, one of the earlieſt of our vernacular writers.* The firſt of the Eliots who ſettled in Cornwall appears to have been the great-uncle of Sir John, who obtained from the family of Champernowne the priory of St. Germans and its lands, in exchange for property at Cutlands, near Aſhburton.† To this eſtate was then given the name of Port Eliot, which it bears to this day. Its poſſeſſions have deſcended with the name, and form a conſiderable portion of the property of the lineal deſcendant and preſent repreſentative of the Eliots, the Earl of St. Germans.‡

The old priory would ſeem to have been a rough wild ſcene, when the family ſeat ſprang up amid its deſerted courts and gardens, and took, from the river on which it ſtood near the ancient town of St. Germans, the name of *Port* Eliot. The ſmall ſtraggling place, little more in thoſe days than a poor village of fiſhermen, built irregularly on an uneven rock, and deriving its ſcanty trade from the Tamar river, emptying itſelf into Plymouth, muſt have ſeen with ſome ſurpriſe the grand new houſe take the place of the old dwelling of the

* Browne Willis's *Notitia Parliamentaria*, ii. 142, ed. 1716.

† "I do not know," ſays the accompliſhed living deſcendant of the patriot (writing when he was yet Lord Eliot), "the exact year in which this "change took place; but John Eliot died at the priory of St. Germans, "having given it the name of Port Eliot, in 1565. An account of that "tranſaction is to be found in Carew's *Survey of Cornwall*, publiſhed about "1580. Chalmers, in his *Biographical Dictionary*, ſpeaks of the family of "Eliot of Port Eliot, and thoſe of Heathfield and Minto, as deſcended "from a Sir W. Aliot, who came over with William the Conqueror; "but this account is merely traditional, and cannot be borne out by "proof. The heralds' viſitation of Cornwall, made in 1602, and pre-"ſerved in the heralds' college, gives the armorial bearings of the family; "the ſhield containing twelve quarterings; a proof, at a time when preten-"ſions to heraldic honours were minutely ſcrutiniſed, that the origin of the "family could not have been very recent."

‡ In *Notitia Parliamentaria* (at the notice of the borough of St. Germans, 140–153 of the ſecond volume), a deſcription will be found of Port Eliot. See alſo Carew's *Survey of Cornwall*, ed. 1811, pp. 257–61.

monks, almoſt fronting Lynher creek, from whose overflows a pier, ſtrongly built againſt the banks of that river, protected the manſion.

At Port Eliot, ſurrounded by much that would encourage a taſte for rough adventure, and hopes connected with the ſea, John Eliot was born, on the 20th of April 1590.* His youth had few of the reſtraints that ſhould have been applied to a temper impetuous and ardent. His father was a man of eaſy habits, kept hoſpitable houſe with no very nice regard to ſelectneſs in his viſitors, and exerted ſmall control at any time over the proceedings of his ſon. To this is to be attributed an incident of which ungenerous advantage has been taken by Eliot's political enemies.

Archdeacon Echard, a writer known to be prejudiced and inaccurate, gave the firſt public account of it. After ſtating (moſt unwarrantably as we have ſeen), that Eliot was of a "new family," the archdeacon proceeds: "Within his own pariſh there lived one "Mr. John Moyle, a gentleman of very good note and "character in his country, who, together with his ſon, "had the honour to ſerve in parliament. Whether out "of rivalſhip or otherwiſe, Mr. Eliot, having, upon "a very ſlight occaſion, entertained a bitter grudge "againſt the other, went to his houſe under the ſhow "of a friendly viſit, and there treacherouſly ſtabbed him, "while he was turning on one ſide to take a glaſs of wine "to drink to him." He ſtates further: "Mr. Moyle "outlived this baſe attempt about forty years, who, with "ſome others of his family, often told the particulars "to his grandſon, Dr. Prideaux, and other relations, from "whom I had this particular account."† Whether the

* Browne Willis. Anthony Wood fixes it incorrectly at 1592.

† Echard's *Hiſtory*, 424 folio, ed. 1720. Is *this* the "contemporary writer" to whom Mr. D'Iſraeli alludes in iv. 508 of his *Commentaries*? I can find no other. How eagerly ſuch a charge would have been ſeized by the opponents of Eliot among his contemporaries, had a reaſonable foun-

account was received from goſſiping relations, or the reſpectable dean, is here left doubtful; but a writer with ſtrong royaliſt leanings has fathered it on the dean, and has inſiſted, with very obſtinate vehemence, on the probable truth of the ſtatement.* How ſucceſsfully, will be ſeen.

So far as there is truth in the incident, it occurred in Eliot's extreme youth. That he ſhould at that time have expoſed himſelf to the charge of being "wilful," was a natural conſequence of his father's indulgences; and Mr. Moyle, who lived at Bake,† a diſtrict of St. Germans pariſh cloſe to Port Eliot, took upon himſelf to warn the elder Eliot that ſuch was the character and diſpoſition of his ſon. The courſe of the quarrel that enſued, as deſcribed by Mr. Moyle's daughter, a witneſs not likely to be partial to Eliot, is given in a letter written by a deſcendant of one of the old Corniſh families.‡ Her ſtatement is to the effect that Mr. Moyle,

dation exiſted for it, is obvious. It might have ſerved as the tithe of an apology for the malignant oppoſition to him by royaliſts of the weſt, or for his harſh treatment by the king. Nowhere, however, in parliament or elſewhere, not even in the letters to be hereafter duly commemorated, of Sir James Bagg, does a trace of it appear.

* Mr. D'Iſraeli. See his *Commentaries*, ii. 270; iv. 513; and his pamphlet in anſwer to Lord Nugent, p. 5.

† *Notitia Parliamentaria*, ii. 147. Browne Willis, the intimate friend of the Moyles, makes no alluſion to this incident as remembered harſhly by that family; he corroborates, indeed, in all reſpects the account of Mr. Tonkin ſhortly to be quoted; and both are explained by the teſtimony, in the text, of the daughter of the pretended "victim."

‡ This letter has been referred to by Miſs Aikin, the hiſtorical writer, as if it were in her poſſeſſion; but it had already been quoted, at length, in the edition of *Carew's Survey* publiſhed by Lord de Dunſtanville in 1811 (p. 261), and it was unpardonable in writers, to whom this publiſhed evidence was ſo eaſily acceſſible, to repeat and exaggerate the groſs accuſation which at once it explains and repels. The letter was written in 1767, and is ſubſcribed by Mr. Trehawke, a gentleman of old Corniſh family. "The fact," he wrote, "as related to me by Mr. Moyle's own daughter, ſtood "thus. Sir John Eliot, when young, had been extravagant in his expenſes, "ſo that Mr. Moyle thought it friendly to acquaint his father with his ſon's "conduct; and this being repreſented to the young gentleman with ſome ex- "aggerating circumſtances, he haſtily went to Mr. Moyle's houſe (two miles "from his own). What words paſt I know not, but Sir John drew his

having acquainted Mr. Eliot with ſome extravagances in his ſon's expenſes, and this being reported with aggravating circumſtances, young Eliot went haſtily to Moyle's houſe and remonſtrated. What words paſſed, and whether any further provocation, is unknown; but Eliot drew his ſword, and wounded Mr. Moyle in the ſide. "On reflection," continues this lady, "he "ſoon deteſted the fact; and from thenceforward "became as remarkable for his private deportment, in "every view of it, as his public conduct. Mr. Moyle "was ſo entirely reconciled to him, that no perſon, in "his time, held him in higher eſteem."

That the incident occurred before Eliot's manhood, one or two dates will ſhow. I find, from documents of the time, that his father died in 1609,* and was buried in the church of St. Germans on the 24th of June in that year. Anthony Wood, an authority on ſuch a point (though hardly on others), tells us that young Eliot entered college in 1607, and continued there three years.† At the time of the quarrel with Moyle, therefore, he could not have been more than ſeventeen; or, even aſſuming that it occurred in a college vacation of his firſt year, eighteen years old. A curious document of which a copy has been found among the papers at Port Eliot, and the original of which was known in the laſt century to all who ſtill viſited at the old manſion of the Moyles at Bake,‡ "An Apologie" addreſſed to Moyle

"ſword and made a thruſt at Mr. Moyle; but it being againſt his ribs, the "hurt was ſlight. However that being more than Sir John knew, and "there being no time for talking after what was done, Sir John fled. On "reflection he ſoon deteſted the fact, and from thenceforward became as "remarkable for his private deportment in every view of it as his public "conduct. Mr. Moyle was ſo entirely reconciled to him that no perſon of "his time held him in higher eſteem."

* Willis exhumed this and other facts concerning the pedigree of the Eliots from the pariſh regiſters of St. Germans. *Not. Parl.* ii. 144.

† *Ath. Oxon.* ii. 478.

‡ Lord de Dunſtanville's edition of *Carew's Survey of Cornwall* (publiſhed in 1811) contains this note by Mr. Tonkin, appended to the men-

by young Eliot for the "greate injurie" he had done him, and witneſſed by names diſtinguiſhed afterwards in parliament and hiſtory, among them William Coryton and the chivalrous Bevil Grenvile, offers further proof in the ſame direction. Its language is that of a young and generous ſpirit, anxious to repair unpremeditated wrong, and eager with atonement. "Mr. Moyle," it runs, "I doe acknowledge I have done you a "greate injury, which I wiſh I had never done, and "doe deſire you to remit it; and I deſire that all "unkindneſſe may be forgiven and forgotten betwixt "us, and henceforward I ſhall deſire and deſerve your "love in all friendly offices, as I hope you will mine."

That this apology was honeſtly redeemed, and that the writer not only deſired but obtained the love of the man whom haſtily he had injured, we are alſo fortunately not without proof. Among the papers at Port Eliot already referred to, exiſt two letters written during Eliot's laſt impriſonment to Mr. Moyle, granting him ſolicited favours. It is an old and ſhrewd experience that few men are capable of making compenſation to thoſe they have injured, or even of ceaſing to follow them with reſentment.

Forgiveneſs to the injured doth belong:
They never pardon who have done the wrong.*

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tion of Eliot: "Mr. Echard in his *Hiſtory of England* has left a ſevere "reflection on this knight's character for ſtabbing Mr. Moyle, of Bake, "which I wiſh I could clear him of; but *the matter of fact* is too true, and "I have myſelf ſeen his ſubmiſſion to Mr. Moyle under his own hand at- "teſted by ſome of the principal gentlemen of the county, and the original "is now to be ſeen at Bake, in the preſent Mr. Moyle's cuſtody. All that "can be ſaid in his excuſe is *that Mr. Moyle had highly injured him; and "the late Walter Moyle Eſq. would often ſay that his anceſtor did in ſome "meaſure deſerve it,* for his ill repreſentations of him (Sir John) to his "father; and there has ever ſince been a good underſtanding and friendſhip "between the families." From which it would ſeem that the "matter of "fact," of which Mr. Tonkin appears ſo anxious to clear Eliot, had never, to thoſe really acquainted with the facts, aſſumed anything of the character which the malignity of political partisanſhip, in later days, has vainly ſought to faſten upon it.

* Dryden (*Conq. of Granada*). Mr. D'Iſraeli has ſaid, in his fourth volume,

But Eliot's was one of theſe rare exceptional natures. He ſeems ever to have held himſelf the willing debtor of the man he had ſo unwillingly offended. "I am ſorrie," he ſays in one of his letters,* after granting Moyle what he had aſked, "this returne is not better to the occaſion "you have given me. It may ſerve for an expreſſion of "my power, though my affection be beyond it. I cann "command corruption out of noe man, but in myne own "hart have a cleere will to ſerve you, and ſhall faithfullie "remaine your true friend." In the other, written ſome months after,† in anſwer to an interceſſion by Moyle for an offending tenant of Sir John's, the following paſſage occurs: "In anſweare to your love, I will geve order "to my ſervante Hill, at his returne into the countrie, "to repaie him the money that's receav'd; and ſoe to "leave him to his old intereſt for the tenemente. In which "he muſt acknowledge your curteſie and favor, for "whoſe ſatisfaction it is done by your moſt affectionate "freind."

Let me remark further, that this incident of Eliot's opening manhood is in no reſpect to be judged by the

p. 513 (in reference to the "apologie"), "I perfectly agree that this "extraordinary apology was not written by a man who had ſtabbed his "companion in the back; *nor can I imagine, that after ſuch a revolting "incident, any approximation at a renewal of intercourſe would have been "poſſible.*" He then proceeds, with amuſing pertinacity, to ſhift the grounds of the charge. His argument, however, on his own admiſſion, is exploded by the letters to Mr. Moyle cited in my text. No perverſity, however fooliſh or reckleſs, can again revive it. I cannot leave the ſubject of this firſt of the calumnies reiterated by Mr. D'Iſraeli, without expreſſing my regret that political prejudice and preconceived notions of character, more marked becauſe of the whimſical profeſſions of philoſophical impartiality that accompany them, ſhould ſo bewilder an ingenious mind. Mr. D'Iſraeli, though in all caſes too fond of ſuggeſting events from rumours, and given up to romantic, fanciful, ſuperſubtle theorizing, which he ſupports by quotations and authorities too often the reverſe of accurate, is an attractive writer, and has rendered ſervices to hiſtory; and, notwithſtanding his various miſſtatements reſpecting Eliot, has never ſcrupled to pay willing tribute to the greatneſs of his intellect.

* 22nd April 1630. MSS. at Port Eliot.

† 7th December 1630. MSS. at Port Eliot.

rules now applied to matters of the kind. Swords then flaſhed out as arbiters of every quarrel; and no ſmall part of the new ſovereign's leiſure, ſince he left Scotland, had been paſſed in vain attempts to cool the fiery young Engliſh blood that perſiſted ſo to aſſert and avenge itſelf. *Beati Pacifici* was ever on king James's lips; but no ſuch happineſs was his. Continually to talk about peace is not the neareſt way to it. In the very ſame year when Mr. Moyle appears to have gone on the goſſiping errand that ſtirred Eliot's hot young temper, there had fallen out the famous quarrel between Sir Thomas Dutton and Sir Hatton Cheke, which, forbidden by the king to proceed further in England, came to a bloody cloſe on the ſands at Calais. Only a couple of years later, occurred the fatal encounter on Antwerp meadows, driven thereto by like prohibition, between Sackville Buckhurſt and Lord Bruce of Kinloſs. In rapid ſucceſſion had followed ſimilar paſſionate meetings of Lords Chandos and Hay, of Lords Warwick and Cavendiſh, of Lords Rutland and Danvers, of Lords Eſſex and Henry Holland, of Sir Lewis Treſham and Sir John Herbert; and not even the lateſt diſplay of determined diſapproval by James, which had brought to the very foot of the gallows young Mr. Ayliffe of Wilts for ſlaying the couſin of the Counteſs of Bedford, availed to ſuppreſs or check thoſe blazings forth of temper which will always more or leſs be rife in an age of vehemence and downright earneſtneſs, and in which the incident of Eliot's youth ſo largely ſhares.

Taken in connection with the circumſtances thus deſcribed, it aſſumes a relation of ſome importance to his later life. It ſtands as the marking line between his youth and manhood. From the turbulence of his boyhood, and the ſtruggle of its uncurbed paſſions, we ſee him ſtartled into ſelf-control. His private deportment ever after, ſays Mr. Moyle's daughter, was as remarkable as his public conduct. She

ſpoke of what the world, then, had ſeen and acknowledged. Only for the general good, and againſt the wrongful oppreſſor; for kindneſs alone, and buſy purpoſes and affections to thoſe around him; the irrepreſſible ardour of his temper remained. To the "laſt right "end." he ſtood, "a perfect patriot and a noble friend:" and ſo, if he has found a fitting biographer, he muſt be preſented here.

II. Early Tastes, University, and Travel.

Immediately after the quarrel with Moyle, young Eliot left his home for the univerſity of Oxford; either as a freſhman, or to reſume ſtudies already begun. Anthony Wood ſtates that he "became a gentleman-"commoner of Exeter college, in Michaelmas term "anno 1607, aged 15."* The ſame authority tells us that he left the univerſity, without a degree, after remaining about three years; but that the three years were not miſ-ſpent, he afterwards ſhowed. From nature he had a fervid imagination; and when this found expreſſion in the houſe of commons, it was under the chaſtening influence of the ancient learning. For quickneſs and completeneſs of claſſical alluſion, Eliot had no rival in parliament. Nor had he ſtrengthened himſelf for great duties only, by the priceleſs treaſures of language and thought ſo maſtered in his youth; for his reſource under great calamities was alſo to be derived from them. Thus early familiar with the ſchool philoſophy of Greece and Rome, he carried its hopes and aſpirations, even its ſublime abſtractions and reveries, through all the buſy activity of his life, into the enforced ſolitude that cloſed it; and Plato, Ariſtotle, and Seneca were friends that remained acceſſible to him, when his priſon excluded every other.

* *Ath. Oxon.* ii. 478. This is incorrect, however, as I have ſtated, in reſpect of Eliot's age. He was ſeventeen.

It would indeed be difficult to overſtate the advantages derived by this remarkable man, through life, from having made theſe ſtudies familiar to his youth. They will appear in every part of his ſtory. Not unknown are other examples, in this great age, of the union in a high degree of readineſs of action with remoteneſs of ſtudy and contemplation; but, in its application and uſe through the commoneſt occurrences as well as graveſt events of his career, the peculiarity preſented itſelf in Eliot under conditions of ſingular intereſt. In whatever circumſtances placed, books had become to him a world ſo real, that he could draw out of it experiences fitted to all his needs and occaſions; for it was peopled with thoughts and emotions to which the habit of continual reſort had given more than the attributes of counſellors and friends. Nothing of the paſt was dead to him. The life that burnt into the page of Tacitus, was the ſame that ſtill heated and ſtirred the world about him; and the parliament chamber in which he ſat at Weſtminſter, was not to him more filled with eager animation and conflict, than were its old parliamentary parchment rolls, the ſilent depoſitaries of Engliſh liberty, from which four centuries of the paſt unceaſingly appealed to him.

To the habits and commencements of this early time muſt alſo be aſcribed the fervency and ſimplicity of his religious belief. He was not a Puritan; but his ſympathies went ſtrongly with all that advocacy of the pure in faith and worſhip to which the term was applied. Profoundly verſed as he was in the ancient ethics and philoſophy, and an ardent upholder of their truth and excellence, he had found in the Chriſtian ſyſtem higher developments, and a more divine ſatisfaction. Leſs prone than many of his contemporaries, in commonplace and ordinary ſtraits, to reſort to the ſacred writings, he yet drew from them, ever, his practical guidance not leſs than his higheſt wiſdom. To him the Bible was, in truth

and fact, the book of life; from which he derived all that he believed to be essential to religion, and by which he measured all he held most to be honoured in public as in private concerns. In the first speech he delivered after the accession of Charles the First, as in his last letter to Hampden from the prison to which Charles consigned him, *this* is the compass by which he steers his course, to the haven in which he finds his rest. "Religion only it "is," he told the assembled commons, "that fortifies all "policy, that crowns all wisdom. Not alone is it the "grace of excellency, and the glory of power, but it is "the strength of government. For, though policy may "secure a kingdom against foreigners (and so, I pray "God, this kingdom may always stand secure!) and "wisdom provide every necessary for the rule at home, "yet if religion secure not the affections of the people, "the danger is as much in our own Achitophels, as from "Moab and all the armies of Philistines."* "O, the "infinite mercy of our Master, dear friend," he wrote to Hampden, when life was closing upon him in his dreary cell, "by whom we are, and from whom we have "all things, the strengthening of the weak, the enriching "of the poor, the liberty of the captive, the health of "the diseased, the life of those that die!"† Nor for that

* MS. at Port Eliot of speech delivered in parliament, June 1625.

† These words are from a letter of Eliot to Hampden dated the 29th March 1632 (he died in the November of that year), which is one of the thirteen of Eliot's letters copied by Mr. D'Israeli from the originals at Port Eliot, and published nearly thirty years ago, with a few by Hampden and other correspondents, as an appendix to the fourth volume of his *Commentaries*. What proportion this scanty collection, called by Mr. D'Israeli "the Correspondence of Sir John Eliot," bears to the store of manuscript letters which the kindness of Lord St. Germans has placed at my disposal, the reader will understand when I inform him that I have before me the originals of upwards of two hundred derived from Port Eliot alone. It was not merely, however, that Mr. D'Israeli dealt with so insignificant a fraction of Eliot's letters, but that, from inability or want of patience to decipher the writing, he has printed even these few with such grave omissions and ridiculous mistakes as to render them worthless. He boasts indeed of the patience, suffering, labour, and success with which he had made his way through manuscripts all but illegible; but with how much truth, let the reader judge by com-

trying hour alone had ſuch conſolations been reſerved.

pariſon of the exact words of the letter quoted in the text (which happens to be one of the thirteen printed in the *Commentaries*), with the ſame paſſages as printed by Mr. D'Iſraeli. The miſtakes and omiſſions are marked in italics, and the ſpelling of the original is modernized to ſuit with Mr. D'Iſraeli's.

As printed by Mr. D'Iſraeli.

O! infinite mercy of our Maſter, dear friend, how it abounds to us, that are unworthy of his ſervice! How broken! how imperfect! how perverſe and crooked are our ways in obedience to him! how exactly ſtraight is the line of his providence *to* us, drawn out through all occurrents and particulars to the whole length and meaſure of our time; how perfect is his *hand* that has given his Son unto us, and with him has promiſed likewiſe to give us all things; *relieving* our wants, *ſanctifying* our neceſſities, *preventing* our dangers, *freeing* us from all extremities, *and died* himſelf for us! What can we render, what retribution can we make worthy ſo great a majeſty? worthy ſuch love and favour? We have nothing but ourſelves who are unworthy above all, and yet that as all other things is his; for us to offer up that, is but to give him of his own, and that in far worſe condition than we at firſt received it, which yet (*for* infinite is his goodneſs for the merits of his Son) He is contented to accept. This, dear friend, muſt be the comfort of his children; this is the phyſick we muſt uſe in all our ſickneſs and extremities; this is the ſtrengthening of the weak, the *nouriſhing* of the poor, the liberty of the captive, the health of the diſeaſed, the life of thoſe that die, the death of that wretched life of ſin, and this happineſs *hath* his ſaints.

As in the original MS.

O! *the* infinite mercy of our Maſter, dear friend, how it abounds to us, that are unworthy of his ſervice! How broken! how imperfect! how perverſe and crooked are our ways in obedience to him! how exactly ſtraight is the line of his providence *unto* us, drawn through all occurrents and particulars to the whole length and meaſure of our time! How perfect is his *love* that has given his Son unto us, and with him has promiſed likewise to give us all things! *Thoſe that relieve us but in part, we honor and eſteem; thoſe that preſerve and ſave us from any danger or extremity, we have in veneration, and admire; nay, even for thoſe that morally are good, from whom there comes ſome outward benefit and advantage, it 's ſaid ſome men dare die. How ſhould we, then, honor and admire ſo good a God and Saviour; by whom we are, by whom we have all things we poſſeſs; who does relieve our wants, ſatisfy our neceſſities, prevent our dangers, free us from all extremities; nay, to preſerve and ſave, was died himſelf for us!* What can we render, what retribution can we make, worthy ſo great a majeſty, worthy ſuch love and favour? We have nothing but ourſelves, who are unworthy above all; and yet that, as all other things, is his. For us to offer up that, is but to give him of his own, and that in far worſe condition than we at firſt received it, which yet (*ſo* infinite is his goodneſs for the merits of his Son) He is contented to accept. This, dear friend, muſt be the comfort of his children. This is the Phyſick we muſt uſe in all our ſickneſs and extremities. This is the ſtrengthening of the weak, the *enriching* of the poor, the liberty of the captive, the health of the diſeaſed, the life of thoſe that die, the death of that wretched life of ſin! And this happineſs *have* his ſaints.

The ſame number of omiſſions, and the ſame kind of miſtakes, are in almoſt

We shall find them interfused with all his habits of thought, and sustaining him in every part of his career.

Another characteristic, so prevalent throughout his life that it must have dated from this earliest time, was his love of active and athletic exercise. Extraordinary as were his attainments and proficiency in learning, he was a man of action pre-eminently; and, as well from the wise care he took, tempered with all thoughtful allowance, in the active training of his sons, as from the well-weighed counsel he frequently tendered to his friends, we may infer much as to the outset of his own life, and what its lessons and learning had been: When he first committed his boys to a tutor's care, his charge to him was that their recreations and exercise should be, not less than their scholarship, the object of his solicitude.* When his second son, Richard, showed inaptness for the life at first marked out for him, Eliot at once declared that nature must have free way, that disposition and work should not be at war, and that scope must be given to the youth's active propensities.† When his dear friend Richard Knightley had fallen into inactive habits, with which he held that health neither of mind nor body could consist, he addressed to him from his prison a most touching remonstrance. He had been inquisitive of his friends, he told him, as to his recent ways of life; and found so much time spent in the house and so little in the fields, that he doubted Knightley made his liberty a practice of imprisonment, and by too much meditation unfitted himself for action, which should be the life and crown of our

all the letters printed by Mr. D'Israeli; as will be noted, from time to time, when the occasion arises for quoting them. In short, Mr. D'Israeli's so-called "Eliot Correspondence," excepting only a few letters by Hampden, is utterly worthless.

* Eliot to Thomas Knightley (5th April 1630): MSS. at Port Eliot. Thomas Knightley was fellow and tutor of Lincoln-college, Oxford, to which Eliot had sent his sons; and appears to have been cousin to Richard Knightley.

† Eliot to Hampden (26 April, 1631): MSS. at Port Eliot.

endeavours in our courſe. He prayed him to reflect upon others, and that no man ſhould be a centre to himſelf. He beſought his friend to think what intereſt in him his country might pretend to; what right over him his friends might claim; and above all that his Maſter, who had made him ſteward of himſelf, expected in all theſe the employment of that talent to His glory, and that ſuch care ſhould be entertained about his perſon as to preſerve it for ſervices to come. To dwell wholly in ſpeculation, was to be uſeful only for himſelf; but for others, and the time to come, it behoved him to diſpoſe himſelf to action. For others, he was to hunt; for others, to hawk; for others, to take the benefit of the fields. "Do it for me," continued Eliot; "that cannot do it of "myſelfe; and in your profit and advantage my ſatisfac- "tion ſhall be rendered. I know I need not counſel you, "who have Abraham and the Prophets; but yet, one "coming from the dead, who by privation knows the "benefitt of exerciſe, which God appoints for the recre- "ation of man, may have ſome creditt more than ordi- "narie to make ſome light impreſſions upon the minde."* Very affecting is that reference to the living death which then had been inflicted upon the writer. When all the healthy and vigorous habits that had been the ſtay and ſuſtainment of Eliot's own life had been ſtruck from under him, he knew that he was doomed. To what extent thoſe habits had been his practice, and from this earlieſt time, we need no better evidence. His lateſt enjoyment in the Tower, of which he was deprived by cloſer cuſtody in the laſt year of his impriſonment, was the game at bowls that he had firſt played in his boyhood on the green at Port Eliot.†

Between the univerſity and travel, to all well-bred

* Eliot to Richard Knightley (10th June, 1630): MSS. at Port Eliot.

† Eliot to Richard Knightley (11th Auguſt, 1631): MSS. at Port Eliot. "Your letter found me yeſterday ſoe hard at bowles as I had not then tyme "to anſwear it," &c.

youths in the seventeenth century, another study was ordinarily interposed. Some acquaintance with the common law of England, then, was generally required for an English gentleman's education. It was thought essential that men of birth and station in their respective counties, to whom it fell to discharge the duties of justices of peace, should know something practically of the law they were called to administer, affecting largely the populations of their neighbourhood. Very especially also was it held to be a necessary accomplishment for one who would enter parliament, and had less ambition to follow the court than to side with the country party. Eliot, as Wood informs us, 'after leaving the University, "went to one of the Inns of Court, and became a "barrister." Not of course to practise: though we shall find that his knowledge of the law, and its uses and terms, was of the greatest value to him; that his friends in and out of parliament frequently referred to his authority;* and that he not seldom employed his knowledge of the principles of law to condemn the practice of professional lawyers.† When next we get sight of him, he is travelling on the Continent, as had become also very generally then the custom of young men of family and fortune.

At precisely the same period, the discerning Lady Villiers had sent her famous son, two years younger than Eliot, to grace the beauty of his face and person (his only birthright)‡ by the advantages of foreign travel. Eliot

* Bevil Grenvile to Eliot (17th September, 1631). MSS. at Port Eliot.

† This will appear in his speech, to be hereafter quoted, in the last parliament of James as to a case of disinherison (MS).

‡ Buckingham was a younger son, by a second marriage, of Sir George Villiers, of Brookesley, in Leicestershire, whose family, though ancient, had been in no respect distinguished. His mother is reported to have served as kitchen-maid in the house of his father, who, struck with her extraordinary beauty of person, prevailed with his wife, then living, not without difficulty, to raise her to a higher place; and on the death of that lady married her. As, however, the heir by the former marriage succeeded to the family estate, it became a grand object with Lady Villiers, as soon as she obtained the means

and Villiers met,* and journeyed together to ſeveral places; nor will it ſeem ſurpriſing that Eliot's warm and generous diſpoſition ſhould have ſuited well with the bold addreſs and ſprightlineſs of temper for which only, at that time, George Villiers was remarkable. It is ſaid they became intimate, and it is probable that for ſome time they were ſo; though in after years a widely different deſtiny ſtruck them finally apart.

Of the impreſſions left on Eliot's mind by this travel of his youth, ſome lively traces appeared afterwards in his letters to his children. He urged upon them the neceſſity of well ſelecting their aſſociates. Good company, he knew, was a choice thing ever; and as it always brought pleaſure, ſo moſt eſpecially in travel it brought advantages.† As he wrote this, he might be remembering, through all the darker interval which followed, thoſe fair bright days, and the pleaſant gaieties and cheerful fancies, that, from ſuch a preſence as that of George Villiers in his youth, muſt have radiated to all within its ſphere.

France had greatly intereſted Eliot. He had there ſeen the ſtill conflicting elements of a great and healthful ſtruggle, and though the proſpects of the cauſe moſt dear to him were at this time gloomy enough, the light of promiſe yet ſhone in the diſtance. It was a country full of noble inſtincts and verſatile energy; and what his own experience had been, he recommended his ſons to profit by. Some friend had warned them of poſſible dangers in France.

through a third huſband, Sir Thomas Compton, whom ſhe afterwards deſerted, to accompliſh her children for puſhing their own fortunes in the world. She lived to ſee her own entire ſucceſs in this, and to diſcover how little it was worth.

* Echard's *Hiſtory*, 424. Mr. D'Iſraeli claims the merit of having *diſcovered* this (iv. 507; *Pamphlet*, p. 3), a claim on which his friends alſo inſiſt (*Quarterly Review*, xciv. 470); on what authority does not appear. Echard was the firſt diſcoverer, if there be any merit in it; nor would his ſtatement have carried any weight, but that other circumſtances have confirmed it.

† To his ſon John, 1ſt September, 1631. MSS. at Port Eliot.

Heed him not, ſaid Eliot; it is ſtrange that ſuch warning ſhould come from a man of "hope and ſpirit." Any hazard or adventure, in France, they would find repaid by ſuch advantages of knowledge and experience as obſervation of the exiſting troubles there was ſure to convey. But he would not allow them even to enter Spain; and the Italian territories of the church they were to avoid as dangerous. Stagnant and deadly were the waters in the region of Rome, not clear and flowing for the health-ſeeking energies of man.

His diſlike of Italy, however, was limited to the territories of the church. By all means he held it deſirable for youth to ſee the reſt of Italy. But let them avoid the damps of autumn in that rich land. From the abundance of fruits that prevailed everywhere, and the ſtrife of heat and moiſture affecting the climate, the airs of autumn were dangerous until froſts had corrected them; and a viſit ſhould be timed in ſpring. Great were the advantages in other reſpects, alſo, of wintering in France before paſſing over to Italy. To attempt to acquire the Italian language, before ſome knowledge of French had been maſtered, was not diſcreet. Beſides its being leſs pleaſant and more difficult to talk Italian firſt, it was leaving the more neceſſary acquirement to be gained when perchance there was leſs leiſure for it. Whereas, by obtaining ſome perfection in the French and then moving onward, what might be loſt in Italy of the firſt accompliſhment would be regained, in France, as their ſteps turned homeward.*

But ſtill more characteriſtic of Eliot is that which he deſcribes to his ſons as the unvarying experience of his own life, in travel and enjoyment as in labour and every manly exerciſe, and which, irreſpective of climates or countries, every man may enſure to himſelf. Why

* Theſe various alluſions are from the letter of 1ſt September 1631, to his eldeſt ſon.

is it, he ſays, that what to one ſeems barren and unpleaſant, to another is made fruitful and delightſome, but that all things in this life receive their effect and operation from induſtry and the habit of the ſoul. ("Nothing "is," ſays the great maſter, "but thinking makes it ſo.") Some natures there were which turned all ſweetneſs into venom, forgetful of the leſſon of the bee that extracts honey from the bittereſt herb. With exquiſite good ſenſe Eliot tells his ſons, therefore, that they would do well, ever, to make the beſt uſe of all things; when they ſhould find a ſign or indication of ſome error, to accept it as an inſtruction to avoid the like; and if there appeared but the reſemblance of ſome excellence, to ſuppoſe it better and make it a precedent for themſelves.* Imitation, he ſtrikingly deſignates as "the moral miſtreſs "of our life;" and as they muſt imitate, they ſhould be ever on the watch for what is worthy, and for that alone.† An error might eaſily be retracted, but habits not ſo. Let them not ſuffer any ill in them to proceed to a habit; and above all things, let them propound goodneſs, not pleaſure, for their object.‡ So might they truly achieve honour. Arduous and rough ſeemed the paths of virtue, but they were excellent, yea pleaſant, to thoſe that once had paſſed them; for they brought honour itſelf as their concomitant, to entertain them on that journey. It became, truly their ſervant; and what all others purſue and wait upon ſo eagerly, and offer all that they poſſeſs to obtain, they who travel in thoſe paths already have, in the form wherein alone it is deſirable or to be deſired, to wait upon *them*, and to do them ſervice.§

Standing upon the threſhold of the life we are about to retrace, let us not doubt that the thoughts which ſo attended its cloſe reflected its opening experience; and

* To his ſons, 8th (or 3rd) July 1629. MSS. at Port Eliot.
† To his ſon John: 1ſt Auguſt 1631. MSS. at Port Eliot.
‡ To his ſon Richard: 5th April 1630. MSS. at Port Eliot.
§ To his ſon Richard: 7th November 1630. MSS. at Port Eliot.

that, whatever may have been its errors of paſſion or temper, they were never ungenerous or ignoble.

III. Marriage; and Parliament.

After his return to England in 1611, Eliot married; and even this correct and inoffenſive proceeding has been made the pretext for ſlander to his memory. It has been put forth as another inſtance of the turbulence and "ungovernable paſſion" of this "bold and adventurous character." Without quoting any authority, Mr. D'Iſraeli ſtates, that "when the houſe of commons voted 5000*l.* "for a compenſation to the family for his [Eliot's] 'ſufferings,' they alſo voted another 2000*l.*, part of four, "for which he had been fined by the court of wards, "by reaſon of his marriage with Sir Daniel Norton's "daughter." He then proceeds to inform us that this indicates the violent carrying off of the lady by the turbulent Eliot. What poſſible authority can be brought forward for this ſtatement, I know not. The only record in exiſtence bearing on ſuch a ſubject, known to me, is an entry in the Earl of Leiceſter's journal, of unqueſtioned authenticity; and I cannot ſuppoſe that this was the ſource from which Mr. D'Iſraeli derived his ſtatement. It is as follows: "Monday, "18th January, 1646. The houſe of commons this day, "according to former order, took into conſideration the "great loſſes and ſufferings of many members, in the "yeare tertio Caroli, for ſpeaking (in parliament) in be"half of the kingdom. A report whereof was made to "the houſe, from the committee to whom it was for"merly referred; and the commons, upon debate, paſſed "ſeveral votes for allowances to be given to ſuch mem"bers, in recompenſe of theyr wrongs and ſufferings, "as followeth:" ſeveral names are then ſpecified, and among them, "that 5000*l.* be allowed to Sir John Elliotte's

"younger children; and *his elder ſon's* fine in the Court "of Wards to be remitted."*

Againſt this "elder ſon's" turbulence the reproof of the commentator ought to have been directed. He was probably that ſecond ſon, Richard, whoſe irregular habits, notwithſtanding his poſſeſſion of a fine and manly nature, proved the ſource, as we ſhall ſee, of much anxiety and diſquiet to his father. He was a very likely perſon for the adventure maliciouſly fixed upon Eliot. Sir John himſelf, without violating the laws of any court, had married in the winter of 1611, Rhadagund, the only daughter of a Corniſh ſquire of conſiderable fortune, Richard Gedie of Treburſey, who ſerved as high ſheriff of his county in the laſt year of James. Of his wife, whoſe memory he cheriſhed with tenderneſs, Eliot was unhappily deprived by death in 1628, before the firſt receſs of the memorable parliament of that year; after ſhe had preſented him with ſeveral children. John (born in October 1612), Richard, Edward, Beſs, and Nicholas † will hereafter have mention; and all theſe, with ſome younger and infant children, taken to Treburſey upon their mother's death and their father's impriſonment, were in the following year, when Mr. Gedie himſelf died and Eliot's priſon doors were more cloſely ſhut, left doubly fatherleſs as well as motherleſs. Then utterly dependent on the care of friends, happily friends were found not wanting.

Eliot had ſcarcely married when the houſe of commons opened its doors to him. No hiſtorian has heretofore ſuppoſed that he ſat in an earlier parlia-

* *Sidney Papers*, 2, 3. This early portion of the journal is remarkable for its accuracy and preciſion. Since what follows in my text was written, I have ſeen reaſon to doubt whether John may not have been the "elder ſon" referred to. See Hutchins's *Dorſet*, ii. 144.

† From this fourth ſon, Nicholas, the preſent St. Germans family are deſcended. Upon the failure of male iſſue to Daniel Eliot (the patriot's grandſon, whoſe only daughter Browne Willis married), the eſtates were bequeathed to Edward, grandſon to the patriot's fourth ſon Nicholas.

ment than that of 1623, but I have diſcovered that he was undoubtedly a member of the commons' houſe upon the aſſembling of James's ſecond parliament in 1614. The fact is placed beyond queſtion by the references he made himſelf, in the parliament of 1623, to the two that had immediately preceded it; in the earlier of which he ſtated that he had himſelf taken part, whereas of the later he knew only by the report of others.*

Eliot, then, was in his 24th year when he took his ſeat (as member for the borough of St. Germans) in the council of the nation. It would not have been called together at that time but for Sir Henry Nevile's plan of managing the elections by ſupremely ſkilful people, who were to "undertake" for a court majority. Nevertheleſs the court majority did not preſent itſelf; which Mr. Attorney (Sir Francis Bacon) accounted for by the abſence of the ſupreme ſkill promiſed, by the hot oppoſition the attempt aroused, and by the ſo great ſuing, ſtanding, and ſtriving about elections and places it led to, that the wiſeſt and ableſt perſons ſhrank from ſuch conflict, and three parts of the elected "were ſuch as had never been of any former parliament, and many of them young men, and not of "any great eſtate or qualities." The remark is to be taken with allowance for Mr. Attorney's general diſſatisfaction at the reſult, but no doubt ſubſtantially it expreſſed the truth.

Among the men young like himſelf, however, whom Eliot then firſt ſaw on the benches around him, were ſome that, like himſelf, were now beginning the career that has identified their names with our Engliſh ſtory. Slightly his elder, Robert Philips, ſon of Sir Edward of Montacute, maſter of the rolls, there took his ſeat for the firſt time, and began his illuſtrious but too brief

* The ſpeech to which I refer, not hitherto printed, is among the MSS. in Eliot's handwriting at Port Eliot; and will ſhortly be quoted. It was ſpoken at the opening of James's laſt parliament, which met in February 1623-4.

career.* Another Somerſetſhire gentleman of graver aſpect, now in his twenty-ninth year, a client and councillor of the Bedford family, commenced there the experience which was to carry the name of Pym over the world as almoſt a ſynonym for the parliament of England. Sir Dudley Digges there tried his earlieſt flights of eloquence, leſs earneſt than ornate, yet moving and influencing many. Oliver Luke, a youth of old Bedfordſhire family, ſome of whoſe anceſtors had reſiſted on the bench the tyranny of the earlier Tudors, and who had married into the ſtock of the Northamptonſhire Knightleys, began there the friendſhip with Eliot which ceaſed only with life; and with which another more illuſtrious name became ſoon connected, for family alliances had aſſociated with the Lukes young Mr. Hampden of Hampden, now in his twentieth year, ſtudying law at the Inner-temple, and not to take his ſeat among the commons till the next following parliament. And finally here, among the legiſlators, raw and inexperienced, who had ſat in no former convention, Eliot's glance firſt fell upon a tall young man from Yorkſhire, Thomas Wentworth, whom men noted even thus early (a contemporary tells us) for his ſtoop in the neck, for the cloudy ſhadow on his face except when lighted up by anything that moved him, and for the fierce far-reaching look of his eye.

But beſide theſe youths were men of elder and larger experience, who ſufficed in themſelves to give no common character or fame to the proceedings of this ſhort-lived parliament. In it Sir Francis Bacon cloſed his career as

* The parliament began in March, and was diſſolved in June. In the following September Sir Edward Philips died, it was ſuppoſed from grief at the king's anger with his ſon Robert, for the ſpeeches he had made on the popular ſide. "He was my verye good frend," ſays Sir James Whitelocke (in his *Liber Famelicus*, p. 43). "It is thought that grief he toke in the "king's diſpleaſure toward him, for his ſon's roughneſſe in the parlia"ment, haſtned his deathe. But I cannot think a man can be ſutche a "mope."

a repreſentative of the people. Sir Edwin Sandys, the ſecond ſon of Elizabeth's archbiſhop of York, now in his fifty-third year, a ripe and mature ſcholar who had written learnedly againſt popery, played a diſtinguiſhed part in it. Sir Edward Giles, a knight of large eſtate, Corniſhman and neighbour of Eliot's, and his faſt friend in many ſubſequent trials, was one of its leaders of oppoſition: and he had worthy colleagues in Sir James Perrot, the ſon of Elizabeth's famous lord-deputy; in Sir Robert Cotton, under whoſe hoſpitable roof, where priceleſs ſtores of learning were gathered, Eliot paſſed many of his happieſt later days; and in Sir John Savile of Howley, a knight of the Weſt Riding who had ſerved the court in the old queen's time, but now in his fifty-third year was out of favour with the king, and had carried Yorkſhire, deſpite the Wentworths, in the extreme popular intereſt. Thoſe experienced and liberal lawyers, Crewe, Hakewell, Hoſkins, Thomas Wentworth of Oxford, Nicholas Hyde, and Sir James Whitelocke, alſo gave in it their ſervices to the popular ſide.* Sir James was the father of Bulſtrode; and had diſtinguiſhed himſelf, ſome years before, by diſputing the judgment in Bates's caſe, in the court of exchequer, on Impoſitions.

The ſubject was revived in this parliament, and, with the buſineſs of Undertaking, and diſputed returns riſing out of it, formed the ſole buſineſs tranſacted by the houſe, which had not the good fortune to paſs even one bill. It played the part which ſeems to have been appointed to it, nevertheleſs. It ſerved, at a critical time, to break up the old reſerves and influences; and to force a free way, for ſubſequent and more powerful aſſemblies, to bolder manifeſtations of opinion. It is now we

* "I was retorned," he ſays (in his *Liber Famelicus*, p. 40), "a burgeſs "for the towne of Woodſtock, in the countie of Oxon, whear I was re- "corder, and was elected *notwithſtanding the town wear hardly preſſed for* "*another* by the Erl of Mountgomerye, ſteward of the manors and keeper "of the houſe and parke thear."

have the firſt evidence of vehement excitements, of loud and noiſy cheering bandied from ſide to ſide, within the houſe itſelf. Mr. Attorney, quaintly referring to his own narrow eſcape* from being turned off to the lords' chamber, had wiſhed himſelf, becauſe of the frequent diſcord, not only in the upper houſe but in the Upper World. Mr. Chamberlain wrote to Sir Dudley Carleton of the cheering and interrupting, that "many ſat "there who were more fit to have been among roaring "boys than in that aſſembly." One honourable member was called to order for comparing the houſe to a cockpit. The houſe itſelf was reprehended by Mr. Speaker for "hiſſing" a vehement ſupporter of his majeſty's prerogative. But, amid all theſe unſeemly manifeſtations, it was the right abuſe that was ſelected for attack; and the popular arguments were left unanſwered by the ableſt of the privy councillors. Sandys carried a reſolution againſt the king's aſſerted right to levy impoſitions; and Bacon, not to diſpute the abſtract juſtice of ſuch propoſals, but to abate and deprecate the eagerneſs that would have carried them to inſtant iſſues, was fain to remind the oppoſition that they lived not in Plato his Commonwealth, but in times wherein abuſes had got the upper hand. That great man never called the wrong

* One of the firſt queſtions raiſed had been upon Bacon's right as attorney to ſit at all. If a man already repreſenting any place aſſumed that office, it was argued, he might continue to ſerve in the lower houſe; but that, being appointed attorney, he could not afterwards offer himſelf to repreſent a conſtituency. His place in parliament would then have become ſimply, as expreſſed in his writ of office, to adviſe the houſe of lords; and to appear by the woolſack was the due return of his writ. A committee of precedents conſidered the matter; and though, ſtrange to ſay, no direct inſtance of a king's attorney returned by a conſtituency and ſitting in the lower houſe could be found, it was clear that the king's ſolicitor and ſerjeant had done ſo, and the analogy was ſufficiently cloſe in fairneſs to have ſettled the queſtion. But the houſe would not give way. They made exception for Sir Francis Bacon (to ſhow that their objection was not to him perſonally), but never was attorney-general in future to ſit in the lower houſe. Such was the jealouſy of the influence of the crown, and the reſolve that as few as poſſible "wearing the livery" of the king ſhould ſit among them, prevailing in this "addle" parliament.

right, or made elaborate attempts at juſtification, even while he practiſed or fell in with it. He did his beſt, ever, to amend it; but unhappily was not in the leaſt reluctant to give way and make the beſt of it, when the other effort was unavailing.

With the reſt of the privy councillors he acted, therefore in forcing a premature diſſolution. Eliot regretted the courſe ſo taken; and it is a proof of the ſhrewdneſs and clearſightedneſs he had brought thus early to the obſervation of public affairs, that he detected not alone the miſchief of ſuch haſte and precipitation in dealing with parliaments, and the falſehood of the pretences uſed in excuſe, but the too great readineſs of the popular leaders to encourage needleſs jealouſies. Nearly nine years later, in his firſt important ſpeech in the houſe of commons, he thus alluded to "the former of the "two laſt unfortunate aſſemblies" in which he had taken part.

"As I remember, there was an aſperſion of 'undertak-"'ing' caſt upon the ſervice of ſome members of that "houſe; from whence there grew a jealouſy, in the reſt, "that the whole buſineſs was compounded by thoſe "principals who had before-hand given the king aſſu-"rance of what he deſired. This jealouſy being entered "into, a part like a cancerous ulcer ſpread with the "ſharpneſs of its own corrupt humour, and by infection "went ſo far that it diſeaſed the body. The body be-"ing once ſick and ill affected, could not preſently find "a remedy, or remove the cauſe; but, by continuance "of the grief, had the ſymptoms more dangerous than the "diſeaſe. For, from the root of that jealouſy, ſprang up "oppoſition and conteſtation in debates. Oppoſition "branched itſelf to faction; faction (or rather fraction I "might call it) often budded and put forth perſonal "quarrels, not only to the public prejudice, but detract-"ing from the honour and gravity of this ſo great and "grave a ſenate. And all this moved by the air and

"breath of that unknown and vain report of 'under-
"'takers.' Whereas I verily believe there was no ſuch
"thing in the king's heart, as by ſecret practice with a
"few to undermine the reſt; nor could thoſe few, for
"themſelves, have aſſumed ſo much power above others
"to 'undertake' for all. I hold that our jealouſy in this
"caſe was the advantage of the ill affected, who made it
"the inſtrument of their deſigns to diſſolve that meet-
"ing, that they might follow their own projects and in-
"ventions then on foot; which (as we have ſince felt)
"trenched more upon the privileges and liberties of this
"kingdom, than the uttermoſt 'undertakings' in parlia-
"ment can ever do!"*

Judging of all the circumſtances now, it is impoſſible not to ſee that Eliot's view is the right one. To keep up the agitation againſt the undertakers was, as it turned out, to play into the hands of the court. Eliot had far-ſightedneſs enough to ſee, as well in the conception of ſuch a notable ſcheme as the interfering in elections, as in the ſuppoſed neceſſity that ſuggeſted it, no bad compliment to the influence of the commons; and he would have accepted its failure, manifeſt in the very excitement and indignation provoked by it, as an addition to their ſtrength. But theſe advantages were loſt by the jealouſies given way to; and on the 7th of June, the day of the diſſolution, he doubtleſs turned ſadly away from Weſtminſter with the thought in his heart, and the prayer upon his lips, of which the good Sir James Whitelocke has left record. "All good people wear verye "ſorrye for it, and I pray God we never ſee the like." It was Eliot's fate to ſee many more.

IV. Events in London. 1614 to 1619.

But now, for ſome years, Eliot's life has a quiet interval,

* From a MS. copy of ſpeech delivered in February 1623-4, in Eliot's hand-writing among the papers at Port Eliot.

ſtrengthening and preparing him for its buſier time. Referring long afterwards to the days following his youth, he was in the habit of regretting that his fortune had ſo little allowed him to be maſter of himſelf. As ſoon as his employments began, he ſaid, they were ſo tyrannical upon him that all his minutes were anticipated. But the few years' interval after his marriage, at which we have now arrived, appears to have ſeen him at leiſure; living in and near London; and obſerving, doubtleſs with many grave and chequered thoughts, what then was paſſing in the world. We are not without direct and ſtriking evidence, indeed, of the hold kept upon his mind and memory, in all his after years, by incidents which he witneſſed then.

Somerſet at this time held rule as abſolute as Villiers afterwards, and there was a man whom Eliot had reaſons for regarding with ſome intereſt who had ſtarted in life with that favourite now ſome ſeven or eight years paſt, in circumſtances of ſtartling reſemblance to his own paſt intercourſe with Villiers. When Carr was a page in France, learning manners and accompliſhments, a youth named Overbury was ſimilarly placed there, and the intimacy that enſued had continued through Carr's ſubſequent and wonderful future. But Overbury was content, with no higher rank than that of knighthood, to ſee his friend made baron, viſcount, and firſt miniſter of the king, being himſelf a man of literature and careleſs life, and ſatisfied to retain that control and command over his dignified aſſociate which the ſtronger exerts over the weaker nature. The time arrived, however, when ſuch control became ſuddenly dangerous. Overbury reſiſted the foul and ſhameful project of Carr, lately created Lord Rocheſter, to procure a divorce for young Fanny Howard, ſecond daughter of the chamberlain (afterwards treaſurer) Suffolk, and wife of the youthful Lord Eſſex, in order himſelf to marry that wanton, beautiful,

and diabolical perſon; and the unwelcome counſellor was at once flung into the Tower.

The ſubſequent revolting tragedy is ſo well known to every reader of hiſtory, that it is very ſtrange to obſerve how ſlowly it became known to its contemporaries. The infamous divorce, which the good archbiſhop Abbot bravely refuſed to meddle with, had been effected by a vote of ſeven to five of the biſhops and civilians it was referred to; the as infamous marriage, celebrated by Bacon in a maſque, and honoured by beſtowal of the earldom of Somerſet on the bridegroom, had been ſolemnized in preſence of the king; and bride and bridegroom, triumphant in their guilt, had received more than two years' worſhip from the baſeſt court in Chriſtendom; before it was known, beyond the precincts of that court, what a dark deed had been done. George Radcliffe, afterwards the friend of Strafford, then a law ſtudent of Gray's-inn, wrote thus on the 3rd of November 1615 to his mother in Yorkſhire: "There hath been a greate adoe about the poy-"ſoninge a gentleman in the Tower; one is hanged, "another fled, ſome examined, and divers impriſoned; "but ſmall certaintye is yett knowne. It is confidently "reported that the Earle of Somerſett is ſent to the "Tower yeſterday night." The report was true; and after another ſix months, Somerſet, ſtanding before his peers a convicted felon, his George taken from his neck,* received ſentence of death as one of the murderers of Overbury. The fair-faced fiend for whom the crime was committed, had received her ſentence on the previous day; but the ſcaffold was cheated of them both. Four of the leſſer murderers had already periſhed, the laſt of them being hanged about a month after Radcliffe's letter; and as the firſt of them, Weſton, Overbury's keeper in the

* In one of the accounts of the trial it is ſtated that "he had taken off "his George himſelf" immediately on hearing the verdict againſt him. Amos's *Oyer of Poiſoning*, 110.

Tower, had been on the point of aſcending the ladder at Tyburn, there had ridden up ſharply to the gallows four hangers-on of the court, of whom the moſt prominent was Sir John Holles, afterwards Earl of Clare, father of Denzil and father-in-law of Strafford, who were ſeen to ſpeak to the wretched man, urging him to clear Somerſet. But Weſton was no longer acceſſible to favour or fear. One bitter remark had indeed fallen from him at his trial, that the little fiſhes would be caught and the big ones eſcape; but he was now paſt bitterneſs alſo. He quietly turned to the hangman, as the great men bawled to him from their ſaddles; and his laſt word was an intimation that the crime which had been committed was one deſerving puniſhment.

Of the extent to which Somerſet was directly implicated, Eliot appears to have entertained ſome doubt; and in later years we ſhall find him making generous allowance for ſome points in that favourite's adminiſtration, wherein, more eſpecially as to the diſpoſal of manors, and malverſation and waſte of crown parks and lands, he held him to have contraſted advantageouſly with the favourite of the ſucceeding reign.* For Overbury himſelf he had a genuine pity. Reverting to him after many years, he called him "an unfortunate piece of merit." Keen was his ſympathy for wrong in every caſe; and, beſides his other reaſons for viewing leniently the defects in Overbury's character, he entertained an honeſt admiration of his writings. The circumſtances of his death had attracted much attention to them, and eſpecially to ſuch portions as were known to have been compoſed while he lay in the Tower, gradually waſting, month by month, under ſlow but deadly poiſon. There were paſſages in his poem called *The Wife* alleged to have been ſent to

* See *poſt*, proceedings during the ſitting at Oxford in the firſt parliament of Charles I. MS. at Port Eliot. See alſo Somerſet's own addreſs to Charles, in the *Archæologia*, xvii. 288-9.

Somerſet while his crime was actually in progreſs,* as a warning againſt the falſe Dueſſa that enchained him; and theſe were eſpecial favourites with Eliot. He continued to quote and admire them long after the temporary intereſt inſpired by their writer had paſſed away; and, as the faſhion then prevailed which has been the faſhion of every generation ſince, to praiſe laviſhly the paſt and grudgingly the preſent, it deſerves mention, as characteriſtic of Eliot's openneſs and ſincerity of nature in literary criticiſm as in matters more important, that he never indulged that habit or left it unrebuked. On one occaſion, after quoting Overbury's warning on the vanity of mere carnal beauty, which he held to have been perfectly expreſſed in the lines wherein it is ſpoken of as "but to two ſenſes known," leſs lovely than a picture, and leſs durable than life, yet outlaſting, ever, "the "love that's built thereon," he went on to ſay that in his judgment none of the paſt writers it was ſo much the cuſtom to laud could more perfectly have expreſſed that fancy, "all plainneſs, yet elegantly "rendered." To many, he remarks, it would doubtleſs ſeem a wonder that he ſhould claim authority for any fancy "being ſo new, and born amongſt our-"ſelves. I muſt confeſs my ignorance" he manfully continues "if it be ſo. I eſteem it not the leſs as

* In *Harleian Miſcellany*, i. 219, is a life of Eſſex by Codrington, in which it is ſtated that Overbury had compoſed the poem expreſſly to diſſuade the Earl from the marriage. Upon its publication after Overbury's death, in 1614, it had a moſt extraordinary run, no leſs than five editions having been iſſued in that year alone, when it came forth with the title of *A Wife, now the Widow of Sir Thomas Overburie, Being a moſt exquiſite and ſingular Poem of the Choyſe of a Wife.* The paſſage to which Eliot refers with admiration ſtands thus in the original:

> "And all the carnall beautie of my Wife
> Is but ſkin-deep, but to two ſenſes knowne;
> Short even of pictures, ſhorter liv'd than life,
> And yet ſurvives the love that 's built thereon."

The edition I quote from is dated 1614, and is "the fift impreſſion printed "by T. C. for Lawrence Fiſh, and are to be ſold in Paule's Churchyard at "the Tygre's head."

"begotten in this age, and as it is our own I love "it much the more. 'Tis truth which I do look for, "with propriety of expreſſion to endear it not only to "the judgment but the affections; and making inſinua- "tion by the language for the ſenſe and reaſon of the "thing. Why then ſhould we not value it to the truth "and merit which it bears, is a wiſdom paſt the appre- "henſion of my weakneſs. I muſt declare my folly in "that point."* A ſounder canon of criticiſm it would be difficult to lay down.

Eliot had alſo further reaſon, when thoſe words were written, to linger on Overbury's memory. "He died "where now I live." The writer, who had been the youthful aſſociate of the ſecond and more powerful favourite, then himſelf lay a priſoner in the Tower, and hence this touching addition to the praiſe. "As it is of my "country, I honour it the more; and as it was the pro- "duction of this place, my admiration is the greater, that "in ſuch ſolitude and darkneſs, where ſorrow and diſtrac- "tion moſtly dwell, ſuch happy entertainments and "ſuch minutes were enjoyed."* But a far nobler pre- ſence than Overbury's peopled that ſolitude and darkneſs when another viſion aroſe, and connected itſelf, even as

* I take theſe paſſages from the unpubliſhed MS. of Eliot's Treatiſe of the *Monarchy of Man*, preſerved (Harleian Coll. 2228) in the Britiſh Muſeum. It was written, as we ſhall ſee, in the Tower; and I now diſcover, from Eliot's letters at the time (to be hereafter quoted), that he intended it for publication. With this view, it had been ſent to Richard James, the learned librarian of Sir Robert Cotton, who returned it with certain critical ſuggeſtions, ſome of which Eliot appears to have adopted, and afterwards to have made a fair copy, only juſt completed at the time of his death. This copy paſſed into the poſſeſſion of the Holles family (probably through Denzil, an intimate friend and warm admirer of Eliot); and finally, from the ownerſhip of that fourth Lord Clare who was created firſt Duke of Newcaſtle, became (according to an entry in the MS diary of Lord Oxford's librarian, Humphrey Wanley, under date 6th May 1723, where he records that "my Lord ſent in a MS. compil'd by Sir John Elliot") part of the Harleian Collection, transferred to the Britiſh Muſeum. Here it lay comparatively quite unheeded, until the preſent writer deſcribed it at conſiderable length, giving large extracts from it, twenty-ſeven years ago.

Overbury's did, with what Eliot perſonally witneſſed in this early time.

Two years after Somerſet's trial occurred the execution of Raleigh. It was the climax and conſummation of the baſeneſs of James's reign. It was a ſhameleſs ſacrifice of one of the greateſt men of the Engliſh race to the rage and mortification of the power moſt hated by Engliſhmen. The idle aſſertion has been made that no direct influence in it was exerted by Spain, but the fact was notorious at the time and is now eſtabliſhed irrefragably.* A Spaniſh alliance had thus early been projected, and Raleigh himſelf, who ſtruggled hard for life while there was hope, warned the king with prophetic truth that by his death that ſcheme might be fatally interrupted. But old Lord Northumberland reſted the ſole excuſe of the court, undeniably, on the foul and ſordid one of money. If Raleigh had returned with the El Dorado he had promiſed, no plea of piracy or plunder would have been ſet up againſt him. But he returned an unſucceſsful man, broken down with the miſery of having ſeen his ſon periſh by his ſide. To the greedy longings of James and his court, the El Dorado had again ſhifted to Madrid. Yet better would it be for the Spaniard, ſaid Northumberland, if this match is to go on, that they ſhould ſend over a million to ſave that man from death; and better for the Engliſh, if the match is to be laid aſide, that rather than kill him they ſhould give a million to Spain. But all interceſſion was vain. Vain were the entreaties of the good-humoured kindly queen, remembering how Raleigh was loved and admired by her beloved and loſt prince Henry; vain the dying prayer

* Sir Francis Cottington was now in Madrid, and letters from him, ſtill exiſting in the ſtate paper office, ſhow with what eager deſire, and inceſſant pertinacity, the Spaniards had called for Raleigh's death. There is a cloſing letter of his (MS) dated little more than a month after the execution (18th December, 1618), in which Cottington tells Buckingham that the king of Spain is delighted with the juſtice done on Raleigh, and will himſelf write his royal thanks to the king of England.

of the Biſhop of Wincheſter, who for one laſt favor begged "the life of an old gentleman, a great offender, "who was yet dearly reſpected by the great queen." The king was mercileſs; Bacon and the judges had their inſtructions;* and the "old gentleman," ſummoned but once before the king's-bench, on the morning of the 28th October 1618, and there eloquently pleading, but pleading in vain, againſt a ſentence paſſed fifteen years before, that had ſince been ſuperſeded, as all competent lawyers knew, by a commiſſion giving him the power of life and death, was told that on the next morning he muſt die.

When he went back to the Tower, that day, a divine was in attendance upon him, who ſaid afterwards that he found him the moſt fearleſs of death that was ever known, and the moſt reſolute and confident; yet with reverence and conſcience. "When I began to encourage "him againſt the fear of death, he made ſo ſlight of it "that I wondered at him. When I told him that the "dear ſervants of God, in better cauſes than his, had "ſhrunk back and trembled *a little*, he denied not, but "gave God thanks he never feared death, and much leſs "then; for it was but an opinion and imagination; and, "as to the manner of death, that to others it might ſeem "grievous, yet he had rather die ſo than of a burning "fever." He had been ſubject, ever ſince his return and betrayal by the villain Stukeley, his kinſman and the vice-admiral of Devon, to alternations of fever and ague; and from one of theſe fits he aroſe on the morning of the 29th of October. He ſmoked his laſt pipe; drank his laſt cup of ſack, with the remark that it was good liquor if a man might ſtay by it; and ſaid that he was ready.

* It is ſaid to have been Bacon's opinion, expreſſed before Raleigh ſailed (*Somers's Tracts*, ii. 457), that his commiſſion giving him power of life and death as marſhal, with the epithets *dilecto et fideli*, was equivalent to a pardon under the great ſeal; but Bacon certainly acquieſced in his execution.

The ſcaffold was erected in Palace-yard; and among thoſe looking on from an oppoſite window were ſome lords well known to him, one of whom was the ſame Sir John Holles whom we have ſeen at a very different execution, and who had ſince bought his barony for ſix thouſand pounds. That Eliot alſo was preſent, may be inferred from a deſcription he afterwards gave of the ſcene, carrying with it a ſtrong preſumption that he muſt himſelf have witneſſed it. He had indeed many incentives to ſuch a ſpecial intereſt as would have led him to watch narrowly the tragedy to its end. He, as well as Raleigh, was of an old Devonſhire family; both were new reſidents in Cornwall; and through the Champernownes, one of whom had given Raleigh birth, their families were in a degree related. The man, too, who had betrayed his kinſman and countryman, held the office which Eliot at this time deſired to fill; and upon the quickly following diſgrace of that conſcience-ſtricken tool of the court, Sir Lewis Stukeley, vice-admiral of Devon, Eliot firſt entered public life. Hardly a doubt therefore needs be entertained, that on that cold October morning, Eliot's was among the throbbing hearts that were agitated by the ſcene he has deſcribed, in which, whether ſorrow or joy predominated, One man only remained calm and unmoved.

Matchleſs indeed, ſays Eliot, was his fortitude! It was a wonder and example which, if the ancient philoſophers could have witneſſed, they had acknowledged as the equal of their virtue. "All preparations that are "terrible were preſented to his eye. Guards and officers "were about him, the ſcaffold and the executioner, the "axe, and the more cruel expectation of his enemies. "And what did all this work on the reſolution of our "Raleigh? Made it an impreſſion of weak fear, or a "diſtraction of his reaſon? Nothing ſo little did that "great ſoul ſuffer. He gathered only the more ſtrength "and advantage; his mind became the clearer, as if

"already it had been freed from the cloud and oppreſſion "of the body; and ſuch was his unmoved courage and "placid temper, that, while it changed the affection of "the enemies who had come to witneſs it and turned "their joy to ſorrow, it filled all men elſe with admira- "tion and emotion, leaving with them only this doubt, "whether death were more acceptable to him or he more "welcome unto death."*

So indeed it was. The only anxiety he ſhowed was, that his ague ſhould not return before the axe deſcended, and his trembling be miſtaken for fear. He felt its edge, and ſmilingly calling it a ſharp medicine, ſaid that it was a phyſician for all diſeaſes. As he calmly uttered what finally he had to ſay, the lords left their window, and crowded upon the ſcaffold to hear him. He ſpoke once again after he laid his head upon the block; the executioner having pauſed and heſitated. "Why doſt "thou not ſtrike? Strike, man!" With theſe words that famous Engliſhman paſſed away; doing more harm to Spain by his death than ever he did in his life, though he had never ceaſed to hate and to aſſail her. For he left the legacy of his own hate to diffuſe itſelf among tens of thouſands of his countrymen; with not one of whom did it work to more deciſive ends than with him who turned from Palace-yard with the feeling he has ſo eloquently expreſſed, and to which his public life, that may be ſaid to have dated from this day, bore the further and more eloquent teſtimony of a never-ceaſing reſiſtance to the foreign power which had triumphed over Raleigh.

Retribution ſwiftly overtook his betrayer. The court deſerted Stukeley under the load of ignominy which fell upon him, and Eliot became afterwards a candidate for the vice-admiralty of Devon.

* *Monarchy of Man.* (MS.) Brit. Mus. Harleian Coll. 2228.

BOOK SECOND.

SIR JOHN ELIOT: VICE-ADMIRAL OF DEVON.

1619–1623. ÆT. 29–33.

I. Appointed to Office.
II. Capture of Nutt the Pirate.
III. Before the Admiralty Court.
IV. Juſtice WITH *reſpect of Perſons.*
V. In the Marſhalſea Priſon.

I. Appointed to Office.

ELIOT was in his nine and twentieth year when, after the appointment, in January 1619, of the Marqueſs of Buckingham to be lord high admiral of England, his intercourſe with his old travelling companion was renewed. Soon after the diſgrace of Raleigh's kinſman and betrayer, we find Eliot doing duty as vice-admiral of Devon, and it was undoubtedly at that time, in May 1618, he received the dignity of knighthood; but he does not ſeem to have obtained the patent of his office until the following year, when the new lord-admiral made a direct grant of it, with more extended powers, to his old and early aſſociate, with whom the intermediate diſcharge of its duties, under what conditions does not clearly appear, had again brought him into perſonal communication.

A vice-admiral then repreſented, in his particular diſtrict, the chief of the naval adminiſtration. He was

himſelf judge, as well as adminiſtrator and captain. He preſſed men for the public ſervice at ſea. He boarded pirate ſhips; decided upon the lawfulneſs of prizes; adjudged ſalvage claims for wrecks;* and, in return for his charges and exertions, divided his various ſeizures and fines with the lord-admiral. A neceſſary condition of his patent, was the rendering account of ſuch fines, ſeizures, and other emoluments, at ſtated times. In thoſe days, when every part of the channel was ſwept by pirates, and loſſes and damage at ſea were perpetual, not a little of the perſonal ſecurity of inhabitants of the coaſt, as well as all the ſafety of commercial enterpriſe, depended on the honeſty, capacity, and ſpirit, with which a vice-admiral diſcharged his office. It had, however, great dangers in addition to great reſponſibilities. The vice-admiral took the riſk, and where a ſeizure was ſucceſsfully conteſted, upon him the loſs fell. It was at that time far from unuſual that a pirate ſhould have powerful friends, not merely in the foreign governments under whoſe flag he ſailed, but among the very courtiers and favourites at Whitehall whom he had bribed and corrupted. The ſame poſition of wealth and independence, however, which made Eliot one of the firſt men in his county, and had pointed him out for his office, kept him above the temptations in exerciſe of its functions to which other vice-admirals had been known to ſuccumb; and the power and ſucceſs of his admiralty ad-

* Denzil Holles, in a letter to his brother-in-law Wentworth, adverts to the many diſputes that aroſe on queſtions of prizes and wrecks. He is writing (in 1627) of the miſeries conſequent on Buckingham's infamous adminiſtration, and of the ruin of trade in the weſt that had reſulted from the ill-adviſed war with France. "Why! we weſtern lads reſpect not ſuch "things as theſe, ſo we may have wars, and be in action; for, as you ſay, "our prizes make amends for all. Yea, but the craft is in the catching, "and, I aſſure you, we are not over-burthened with the ſtore of them, and "thoſe few that are, now and then a barque of fiſh or canvas from our "neighbours and late friends by alliance, the French. By that time my "lord-admiral and his vice-admirals be ſatisfied, and all other rights and "wrongs be diſcharged, a ſlender gleaning is left for the takers." *Strafford Letters*, i. 40.

miniſtration were not more atteſted by the good opinion of his friends, than by the number and pertinacity of his enemies. His knighthood, as I have ſaid, dates alſo at the time of the grant from Buckingham;* and it will perhaps amuſe the reader if I ſhow in what ſpirit this incident of the knighthood has been dealt with by the claſs of writers already quoted.

Echard leads the way, connecting it, unfortunately for his purpoſe, with the affair of Moyle.† After giving the falſe account, formerly quoted, of that youthful anecdote, the archdeacon proceeds: "And now, "ſuppoſing he had perfected his revenge, he immediately haſtened to London to addreſs himſelf to his "ſure friend the Duke of Buckingham, in order to get "his pardon: which, to his great diſappointment, he "could not obtain without advancing a conſiderable ſum "of money into the exchequer. But as ſoon as his "pardon was ſealed, and the money paid, he received "intelligence that Mr. Moyle was unexpectedly re-"covered. Upon the happy aſſurance of this, he again "applied himſelf to the duke, to procure the repayment "of the money; but that being ſwallowed up in the "occaſions of the court beyond any recovery, all that "he could obtain in lieu of it was to be knighted: "which, though it might have allayed the heat of his "ambition, was ſo heinouſly taken at the hands of a "perſon once his equal, that after that he never ceaſed "to be his mortal enemy, but helped to blow up ſuch a "flame in the houſe as was never extinguiſhed." This narrative, fooliſh upon the face of it, has found its be-

* An amuſing miſtake was made by Mr. D'Iſraeli, and has been repeated by ſubſequent writers, in ſuppoſing that beſides the vice-admiralty of Devon Eliot held "the office of Chairman of the Committee of Stannaries," as to which he had drawn up a learned report. There was no ſuch office. The report drawn up by Eliot was the ſpeech, to be hereafter noticed, in which he detailed to the third parliament the reſults of a committee of inquiry over which he had preſided as chairman, into the grievances of the Stannaries, and the malpractices of the vice-warden, Lord Mohun.

† Echard's *Hiſtory*, p. 424.

lievers.* It is idle to waſte words on its refutation. At the period when the aſſaſſin Eliot is thus alleged to have hurried up to his friend the duke, to crave protection from the laws he had outraged, the "aſſaſſin" was a boy, and the "duke" George Villiers, with leſs power than his pretended ſuppliant.

Rapid and ſurpriſing, however, had been the riſe of Villiers ſince the day, when, the king's eye having fallen on his young cupbearer with viſible manifeſtations of delight, it occurred to certain great lords, enemies of the reigning favourite, that Somerſet might be beſt diſpoſed of by putting a new favourite in his place.† It ſeems certain that this notion had ariſen before the proſecution for Overbury's murder‡ was in hand, and that it rendered eaſier the proceedings conſequent on that event. The plan ſucceeded far beyond the deſign or the deſires of its projectors. Well might Lord Clarendon exclaim, "Never any man, in "any age, nor, I believe, in any country or nation, roſe "in ſo ſhort a time to ſo much greatneſs of honour, "fame, or fortune, upon no other advantage or recom-"mendation than of the beauty or gracefulneſs of his per-"ſon." At firſt Villiers had, indeed, no other; but, while it would be ſcarcely juſt to himſelf to deny him qualities of ſpirit and boldneſs that to ſome extent accounted for his ſudden and ſucceſsful graſp at power, it would be

* D'Iſraeli's *Commentaries*, ii. 270.

† Few things in the ſtory of this profligate time are more amuſing than the attempts ſubſequently made by a rival party of lords to ſet up young Monſon. "They made account to riſe and recover their fortunes by ſetting "up this new idol, and took great pains in tricking and pranking him up; "beſides waſhing his face every day with poſſet-curd." Letters in S.P.O. 28 Feb. 1617–8. "Young Monſon's friends faint not for all the firſt foil, "but ſet him on ſtill."

‡ I avail myſelf of the repetition of this name to add to Eliot's eulogy, on a former page, an opinion I have ſince confirmed by renewing my acquaintance with Overbury's proſe as well as verſe. Whatever his defects of character may have been, he adorned literature by many delicate writings. Some paſſages in the *Witty Characters* appended to his poem of *The Wife*, have a rare and choice merit; joining to infinite shrewdneſs of expreſſion, a quiet genuine humour.

unjuſt to one like Eliot, who recognized in him a ſomething not unworthy the allegiance of an independent and ſuperior mind, not to admit that Villiers had really no lack of ſuch merits in abundance as might fairly challenge the admiration of a nature akin to his own in its vivacity and quickneſs of impulſe, though of that purer purpoſe and more ſuſtained reſolution which might well find excuſe for hoſtility and anger, in later years, at the ill employment and abuſe of what earlier ſeemed ſo fair.* Not yet, however, does that later time preſent itſelf; and with the ſucceſſive ſteps in the aſcent of Villiers's fortunes, theſe pages have no immediate concern. The poor but handſome young cupbearer had become a knight; the knight had become a baron, a privy councillor, a viſcount, a knight of the garter, an earl, a marquis; the marquis had quitted the place of maſter of the horſe to become lord high admiral,†

* D'Ewes, then a keen-witted lad of 19, thus deſcribes Villiers as he ſaw him at a tilt-match with the prince and ſome French lords, in the yard over againſt Whitehall. "I crowded in after them, and ſeeing the "Marquis of Buckingham diſcourſing with two or three French monſieurs, "I joined them, and moſt earneſtly viewed him for about half an hour's "ſpace at the leaſt; which I had opportunity the more eaſily to accompliſh, "becauſe he ſtood all the time he talked bareheaded. I ſaw everything in "him full of delicacy and handſome features; yea, his hands and face "ſeemed to me, eſpecially, effeminate and curious. It is poſſible he ſeemed "the more accompliſhed, becauſe the French monſieurs that had inveſted "him, were very ſwarthy, hard-favoured men. That he was afterwards an "inſtrument of much miſchief, both at home and abroad, is ſo evident upon "record as no man can deny; yet this I do ſuppoſe proceeded rather from "ſome Jeſuitical incendiaries about him, than from his own nature, which "his very countenance promiſed to be affable and gentle."

† The ſubtle and ſervile biſhop Williams, thus far an unqueſtioning follower of Buckingham, and having no wiſh but that he ſhould "be upon "earth as his piety would one day make him in Heaven, an everlaſting "favoritt," was too acute and farſeeing not to diſcern the dangers that lay a-head when he graſped the admiralty; and in a letter of warning he ſo exactly anticipated what afterwards gave occaſion for Eliot's bittereſt ſarcaſms, that the paſſage is well worth quoting. He is pointing out the advantages of the Lord Steward's office over others: "The Maiſter of the "Horſe is butt a knight's place at the moſt, and the Admirall's (in time of "action) *either to be imployed abroad perſonally, or to live at home in that "ignominy and ſhame*, as your grace will never endure to doe. I will trouble "your grace with a tale of Dante, the firſt Italian poet of note, who beinge

and diſpenſer of all offices and favours; and now the patent of dukedom was preparing, and that marvellous fortune was faſt riſing to its culminating point; when the fate of Eliot of Port Eliot became again interwoven with it. It is during the abſence of the lord high admiral in Spain, whither he went in defiance of popular feeling to play the game of the court, and from which he returned in defiance of the court to play a popular game more hazardous and which indirectly led to his deſtruction, that the vice-admiral of Devon enters on the public ſcene.

II. Capture of Nutt the Pirate. 1623.

Early in April 1623 Eliot was in communication with the privy-council. It ſeems to have been his firſt expreſs employment under their direction. He has been buſy preſſing ſeamen for the king's ſervice, and has had ill-ſucceſs in the work. Following inſtructions ſent down by the commiſſioners of the navy (of which a Mr. James Bagg, of whom much has hereafter to be ſaid, was the bearer), he had iſſued precepts to the conſtables in the weſtern parts of the ſouth of Devon to ſummon all the mariners and ſeafaring men within their precincts to be at ſuch places as beſt ſorted with the eaſe of the country and the promptitude of the diſpatch. Their time was ſo ſtraitened however that his report could not ſhow reſults at all ſatisfactory. The appearances to the ſummons were ſmall. A large proportion of mari-

"a great and wealthy man in Florence, and demaunded his opinion who "ſhould be ſent ambaſſador to the Pope, made this anſwer, that he knew not "who.

"Si jo vo chi ſta, ſi jo ſto chi va.

"'If I goe, I know not who ſhall ſtay at home; if I ſtaye, I know not who "'can performe this imployment.' Yeat your grace ſtayeing at home, in "favour and greatneſs with his M^tie^, maye by your deſigne and direc- "tion ſoe diſpoſe of the Admirall, as *to enjoy the glorye with' running the "hazard of his perſonal imployment.*"

ners had lately gone for Newfoundland. Others had ſecretly withdrawn themſelves on rumour of the intended order reaching them; for intelligence of the letters of the council had been ſuffered to get abroad almoſt a fortnight before they were delivered. The reſult was that in Eliot's belief there was not a tenth man preſent; and out of theſe there had been ſuch ſmall choice, that any defect of ſufficiency was not to be imputed to his neglect, but to the inadequate time afforded.

Eliot appears to have acted with much caution. He called to his aſſiſtance a man than whom none bore greater authority in the weſt, who had ſat in two of Elizabeth's and in all James's parliaments, and whoſe eloquence had been exerted with effect on the popular ſide. "I "had the aſſiſtance of Sir Edward Giles, and with "his help have preſt between this" (he is writing from Plymouth) "and Dartmouth eighty men, the ableſt we "could meet, and not the worſt, I preſume, that have "been ſo entertain'd, for whom we will rather ſuffer the "complaints of the countrie than your honours' cenſure." He went on to ſay that he had learnt from their meſſenger, Mr. Bagg, that Mr. Drake had undertaken to raiſe the reſt of the number required in the eaſtern parts of that ſouthern diviſion; but as yet he had neither been afforded direct advertiſement, or a meeting therein, as perhaps the time could not aptly grant ſuch in the ſuddenneſs impoſed; yet he doubted not all would be complete, and that the men would be as good as many.

The cloſe of his letter had reference to failures of duty on the part of perſons employed as well as ſummoned. He had been informed, ſince the "preſt," of divers, conſtables and others, that had committed neglects; and of ſome that in contempt of the command, after warning, had drawn their ſhips and men out of the harbours. Againſt ſuch, as ſoon as he could meet with them, he ſhould effectually take proceeding. For thoſe others

who had abſented themſelves in voyages, he ſhould crave the favour to be once again commanded what courſe to hold at their return. As, in contempt of his majeſty's proclamation and their lordſhips' ſpecial order, to have thus departed deliberately and "of purpoſe," was an exceſs of boldneſs, ſo ſhould their puniſhment be ſomething extraordinary to make them an example. "I ſhall "omit nothing," concluded Eliot, "of my dutie in any "of your lordſhips' ſervices; and in this firſt imploi- "ment, I take it as a happineſs that your honours have "caſt an eye on me, from whence, if it reflect your ex- "pectations cleere as my deſires, I ſhall eſteeme my vowes "heard and granted; by which I doe remain your "lordſhips' thrice humble ſervante."*

There was much nevertheleſs in this communication, eſpecially in its reference to the departures for Newfoundland, and in its cloſing intimation of his deſigns againſt defaulters, that muſt have carried, to ſome members of the council, a meaning leſs satisfactory than it was intended to bear, or than it did convey to the reſt. It pointed at the extraordinary influence exerted at this time, to the prejudice of the king's ſervice, by a man who had placed himſelf above the laws, and who was ſuſpected to derive, through the intereſt or influence of privy councillors ſworn to adminiſter them, the very opportunities by which he defied them. No one at all converſant with this period of our hiſtory can have failed to be ſtruck by the extraordinary lawleſſneſs that prevailed at ſea. Our coaſts for the moſt part were without watch or defence. The diſſolute extravagance of the court took no heed of the ſubject's claim to protection; and if a needy lord could fill his ſpendthrift purſe for a day by help of a freebooter of the ſea, the honeſt merchant was helpleſs againſt the plunderer and pirate.

* MS. S. P. O. 8 April 1623. Eliot to "the Rt. Hon. ye Lords of "his Ma^tie^'s moſt hon^ble^ Privie Counsell."

As a conſequence, the coaſts ſwarmed with ſuch; but of all who had ſo obtained infamous diſtinction, the moſt notorious was Captain John Nutt. This man had poſſeſſed himſelf of ſeveral pirate ſhips, and no point along the Iriſh or weſtern ſea was ſafe from his attacks. His career had commenced as gunner of a ſhip in Dartmouth harbour bound for Newfoundland; on arriving at which place he had collected a crew of worthies of as deſperate fortunes and purpoſes as his own, ſeized a French ſhip with which he ſubſequently captured an Engliſh ſhip from Plymouth of larger tonnage, added afterwards to his force a Fleming of near two hundred tons, and having enriched himſelf by ravaging the fiſhing craft in the Newfoundland ſeas, had returned, too ſtrong for capture, to the Engliſh coaſts. This was the third year of his piracies. He tempted men from all the ſervices by higher wages and more certain pay. It was by his help that the king's ſeamen, ſo eagerly waited for by Eliot in Plymouth-roads, had meanwhile ſafely paſſed over to the ſhores of Newfoundland. Mayors and municipalities of ſeaports and harbours, in both channels, poured in upon the council complaints of his outrages; of his laughing from his ſafe retreat at Torbay at the attempts to make ſeizure of him; of his impudently wearing the very clothes of the men he had plundered; of his bragging of the pardons he had received. It was too true. Copies of more than one pardon, on condition of his ſurrender within certain dates (of which the effect would have been to leave him unmoleſted in poſſeſſion of his plunder), had reached the hands of Eliot at the very moment when that reſolute vice-admiral had been preſſing him ſo hard, that while the pardon alone prevented his capture, his purſuer had yet ſo preſſed him to flight that he was beyond its reach within the neceſſary limit of time ſpecified. It appears to have been to Eliot altogether due that the interceſſion for ſo worthy an object by ſundry of the courtiers and privy councillors, had thus far

failed, and that pardons twice obtained for the pirate Nutt had hitherto been rendered uſeleſs.

Shortly after his commiſſion placing him in direct communication with the council, the proceedings of this man were again brought under Eliot's attention. He had returned from ſea and once more put into Torbay. Thither immediately went Eliot, and made what attempt he could to effect his capture. He watched the perſons with whom he held correſpondence, obtained acceſs to his places of reſort, and omitted no opportunity that offered any chance or advantage of ſurpriſe. But the pirate was too ſtrong for the vice-admiral. Riding in a place that could not be commanded, and landing in great force when at any time he came aſhore, he laughed at the endeavours to ſeize him. The complaints againſt him were meanwhile of ſuch a character that Eliot ſent up the particulars to the council-table, and deſired advice and inſtructions. No anſwer was returned to that letter.

At this very time, however, petitions from perſons particularly aggrieved by Nutt's proceedings were carried to the king himſelf, and by him appear to have been handed to Conway, with a view to communication with Eliot. The ſecretary wrote accordingly; and though his letter, dated the 12th June, did not reach Eliot until, being ſtill left without reply from the council, he had acted on his own view of the caſe, its ſubſtance may be ſtated here; to ſhow both the urgent neceſſity that had ariſen, and the kind of offender with whom Eliot had to deal.

By an information taken in Ireland, Conway ſaid, it appeared that Captain Nutt much infeſted the Iriſh and weſtern coaſt, and had committed many inſolent and brutiſh piracies, to the diſturbance of quiet trade and the great prejudice of his majeſty's ſubjects. Further it ſeemed, that ſome hopes having been held out to him of a pardon from his majeſty (his majeſty had already

with his own hand subſcribed two pardons!), the pirate had been lately in the habit of making his retreat at Torbay, near which he had a wife and children, and of occaſionally landing there. This information therefore was given, to afford opportunity to the vice-admiral of Devon to do a ſervice very beneficial to the country, and acceptable to the king; whoſe expreſs pleaſure and commandment it was that he ſhould employ his beſt diligence, care, and diſcretion to apprehend the pirate as he came on land. For the better effecting whereof, it would be very important that ſuch directions as the vice-admiral might give in the matter ſhould be carried with as much ſecrecy as poſſible; that he ſhould inform himſelf what places and companies Nutt was like to reſort unto, either to treat reſpecting his pardon, or in jollity to drink and be merry; and that ſpecial order ſhould be iſſued along the coaſt, without naming Nutt, for the careful watch of ſuch ſeafaring men as ſhould come on ſhore, and the ſtay of any that were ſuſpicious. Theſe inſtructions, and what elſe he might himſelf, in his diſcretion, experience, and knowledge of the country, find expedient to be done in the affair, Conway concluded by commending to Eliot's careful direction and effectual purſuit, deſiring account to be made to his majeſty.*

But before this reached the vice-admiral, as I have ſaid, the taſk it impoſed, with ſo evident a ſenſe of its difficulty, he had already, unaſſiſted, perfectly achieved. A chance for ſucceſs had unexpectedly preſented itſelf. A copy of the laſt pardon granted to Nutt having been brought under the vice-admiral's notice, he obſerved, upon examination, that a queſtion might fairly be made whether it did not ſtill poſſeſs efficacy. In reality Eliot ſeems to have known that it would not hold in the admiralty-court. It was a pardon for all piracies committed until

* MS. S. P. O. 12 June 1623. Conway to "Sir John Eliott, "Vice-Admirall of Devon, at Plimouth. Sent by poſt at 8 a clocke in "the morninge."

the 1ſt of February, but with extenſion of time for notice to the pirate that might make it valid until the 1ſt of May; it was now, however, near the cloſe of that month, and there was hardly a poſſibility of any queſtion as to notice being ſucceſsfully raiſed; but if Nutt could be induced to believe that it had force, there was ſufficient ground for queſtion to juſtify Eliot before the council for having appeared to act alſo under that impreſſion; and; the man once taken, the amount of public ſervice done might anſwer ſufficiently to objections ſubſequently raiſed. Eliot cauſed intimation accordingly to be conveyed to Nutt through one of his officers, and the reſult ſhowed that he had not been miſinformed of the pirate captain's diſpoſition to fall into ſuch a ſnare. Nutt argued the matter doubtleſs from his own point of view, and believed that Eliot would be more eager to deal with him for a valid pardon, when he would himſelf ſhare the advantage of the fine with the lord-admiral, than to play the loſing game of merely ſerving the public by entrapping him into a ſurrender, and viſiting upon him the penalties of law.

In the latter end of May, accordingly, Nutt wrote to him from Torbay, "being then aboard his man-of-war "there." In this letter he ſpoke of his having had communication with Eliot's deputy, Mr. Randall; of his willingneſs to pay 300*l.* if the pardon ſhould be forthcoming; and of his deſire to come aſhore for the purpoſe of treating, without expoſure to the chance of arreſt. Eliot at once, on receiving it, rode from Plymouth to Torbay, "in- "tending by ſome conference to perſuade him to come "in and ſubmit:" but on hearing of the vice-admiral's preſence, the pirate's heart ſeems to have failed him, for by the meſſenger who carried Eliot's meſſage he ſent back reply, "that he would willingly have come aſhore, "but his company would not ſuffer him, and therefore "deſired to be excuſed."

Eliot had now to conſider whether the game was

worth the candle; whether it befitted him to be leſs wary than the pirate of perſonal danger; and if it was wiſe to riſk, amid a crew of outlaws, the chance of a diſcovery of the artifice he meant to practiſe. But he reſolved to encounter the hazard, and he went on board Nutt's ſhip on the 6th of June. He then ſaw and ſpoke with him for the firſt time.

The firſt thing he became aware of, on reaching his deck, was that Nutt, even while the negotiations for his ſubmiſſion were in progreſs, had made prize of an Engliſh merchantman, a Colcheſter ſhip with a cargo of ſugar and timber; and one of Eliot's firſt remarks appears to have been that this capture ſhould at once be given up, at which Nutt betrayed ſo much ſudden indignation as to place the vice-admiral more decidedly on his guard. It was, thenceforward, craft againſt force for all the reſt of the interview; and craft won the day. The three hundred pounds originally promiſed were enlarged to five hundred. Nutt was to permit Eliot's officers to ſeize, before he ſurrendered, and in earneſt of the further fines to be paid, ſix packs of calveſkins. The various terms were ſettled in the pirate's cabin, over a flaſk of wine; and when it was afterwards reproached to Eliot, that, upon the captain of the Colcheſter ſhip kneeling to him in an agony of entreaty for his interference to ſave what he valued more than life, he had diſregarded the petition, Eliot made anſwer very much to the point. "It is true, ſuch a one came to the "cabin-door, where the vice-admiral was drinking with "Nutt, and petitioned for his ſhip and goods when it "was in no one's power to do him any ſervice; neither "dared Sir John Eliot earneſtly importune Nutt, at that "time, on his behalf; for at his firſt coming aboard, "when he underſtood that the captured ſhip was "Engliſh, uſing ſome words ſpecial to perſuade Nutt "to quit her, in reſpect the king had now granted him "a pardon, Nutt preſently fell into a paſſion, and vowed

" not to accept the pardon but upon condition to enjoy " what he had. Sir John had not even ſpoken with " the man that knelt." As to what Sir John meant to do when he ſhould have left the ſhip, and Nutt had completed his act of ſurrender, it will be ſeen ſhortly that his determination was already taken.

The pirate himſelf had ſome ſuſpicion of this, and made an effort, before his ſurrender, to get the vice-admiral once again into his power. When he was at the very mouth of the harbour, ready to come in, he wrote to Eliot to ſay that warnings had been conveyed to him that his pardon was naught, and he ſhould expoſe himſelf to arreſt if he came on ſhore; and he had therefore reſolved not to venture, unleſs the vice-admiral would firſt come on board. But Sir John, " knowing the " danger of the firſt adventure he had made going " aboard him in Torbay with a pardon out of date, and " not willing to truſt himſelf again with people of that " condition, in a letter made an excuſe for his not " coming; and therein ſought to give ſome aſſurances to " diſſolve his doubts, wherewith he prevailed, and ſo got " him in." * Placing him at once under temporary arreſt, and taking ſteps to ſecure his ſhip and her prize, Eliot again wrote to the council.

Since his laſt unanſwered diſpatch reſpecting Captain Nutt, he ſaid, the latter had, upon knowledge of a pardon which his majeſty had been pleaſed to grant him, ſubmitted and brought his ſhip into Dartmouth; whereof he preſumed to give their lordſhips intelligence with a view to ſuch directions as they might impoſe for his majeſty's ſervice. The pardon was of the 1ſt of February, but it bore extenſion " to ſome liberty for " notice which it ſeems he met not until now." In other words, though out of date, the pardon might be ſuſtained

* The various facts ſtated in the text are taken from the original records of the ſubſequent examinations in the admiralty-court. MS. S. P. O. 24 July 1623.

on the ground of time for notice of ſurrender, as to which opportunity had only now been given. But Eliot went on to ſhow how ill-deſerved any ſuch grace would be. There were three months only prefixt (he means that the condition of pardon was for surrender within three months of its date); the time had expired; and ſince that time, the man had committed many depredations and ſpoils. In one week he had taken at leaſt ten or twelve ſhips on the weſtern coaſt; and only on the preceding Thurſday or Friday, while theſe matters were in progreſs, he had ſurpriſed a Colcheſter brig juſt returned from the Iſlands laden with woods and ſugars, which ſtill he detained as prize.*

Eliot's object in this letter appears clearly, when ſtated in connection with the terms of the pardon. Upon thoſe terms, it will hereafter be ſeen, and upon the fact of Nutt's poſſeſſion of the Colcheſter prize, turned conſequences that were ſerious to the vice-admiral. Nutt was to pay five hundred pounds as a fine to the lord-admiral on the pardon being confirmed to him; and for payment of this fine (which Eliot by the terms of his patent would equally ſhare), immediate ſecurity in goods, if not the money itſelf, was to be taken by the admiralty. It was for the council therefore to decide whether the pardon ſhould be treated as bonâ fide, the fine exacted, and the man exempted from further conſequences; or whether he ſhould be held to have forfeited any aſſumed rights under it, and be made reſponſible for his miſdeeds in purſe and perſon. Of the view taken by the vice-admiral himſelf, however adverſe to his own intereſts, the cloſing paſſages of his letter muſt have left their lordſhips little doubt.

"In theſe things," he wrote, "I am doubtfull what to "doe without ſome eſpeciall order. Theſe inſolencies "which he has heer acted, and ſoe latelie, upon our owne

* MS. S. P. O. Eliot to the Council. Dartmouth, 10 June 1623.

"merchants, makes me thinke his majeſtie will reſent "them as his owne wrongs, and not worthie of his par- "don. The reputation of that grante is ſoe large, as I "dare not diſpute his majeſtie's intention; but, as "ſomething too high, I muſt flie to your lordſhips' "favors for conſtruction, which I moſt humbly crave. "My deſires ſtrive to avoid the danger of an ignorance; "and as they would not conteſt his majeſtie's pleaſure, "ſoe I [truſt] to be held free of neglect in my "place. The leaſt word from your honours ſhall "breake this difficultie, and levell me a waie to the "ſervice I profeſs; which I ſhall follow with my utmoſt "diligence, and in all thinges ſtudie to be knowen his "majeſtie's and your honours' thrice humble ſervante, "J. ELIOT." A hard ſervice, then, for an honourable man to follow! in which, the neceſſary force for protection of the ſubject being withheld, craft had to be employed in its place; and officers of ſtate, in mere deference to its ſupreme authority, had to cover with elaborate forms and profeſſions of reſpectful courteſy, their indignation at pardons extended to public rogues and plunderers.

We are ſtill, however, only on the threſhold of the ſtrange ſtory of the capture of Captain Nutt.

While the affair of the capture was in progreſs, and Eliot remained watching Nutt in Dartmouth, intelligence was brought to him which called on the ſudden for official interference, and ſhowed, in a characteriſtic way, his energy and his humanity. One of his officers informed him of a plot laid between the ſkipper of a large Hamburgh ſhip laden with corn, and a Dutch crew that, after diſmiſſal from a ſhip of war, had come from Plymouth, by which the Hamburgh ſhip had been ſurpriſed and taken while ſhe lay at anchor in Torbay; "from "whence," as Eliot afterwards wrote to ſecretary Conway, "they were going with her to ſeeke ſome other "purchaſe, and ſoe to have furniſht her for a man of

"warr." No ſooner, however, had the tranſaction been diſcloſed to the vice-admiral, than, as he wrote to the privy-council, "weighinge the lewdneſs of ſuch actions, "how much they tend to the publicke prejudice," he manned forth himſelf a little barque with thirty or forty men, attacked the plotters in poſſeſſion of their prey, recovered and brought the ſhip into Dartmouth, and packed off the delinquents to priſon. Both intent and plot were confeſſed on their examination, to which he had called in aid the mayor of Dartmouth and the commiſſioners of the cuſtoms; and the ſkipper proving as great a delinquent as any, if indeed not worſe than the reſt, he had ſent him to gaol too.

A ſtriking paſſage occurs in the account of the exploit which Eliot appears immediately to have tranſmitted to the council. After mentioning his retention of the prize of which he had thus obtained poſſeſſion, he continues: "The corne beginns to heate, and will impaire much in "a little ſtaie; ſoe that ther muſt be ſome preſent courſe "taken to prevent the loſs that otherwiſe will follow. It "is a good quantitie, and might be a great helpe to this "countrie, which now ſuffers a hard neceſſitie and dearth, "and labours much with the miſeries of the poore. But "therein I dare doe nothinge without your lordſhips' "order, which in a matter ſoe important I hope your "lordſhips will be pleaſ'd to honor me with. The "praiers of the poore will therein ever follow your "lordſhips; and the countrie ſhal be bownd to acknow-"ledge ſoe large a benifitt and ſupplie." *

The letter cloſes with aſſurance, on the other hand, that, upon the leaſt word from their honours, he would ſee the cargo carefully diſpoſed for the beſt advantage of my lord-admiral, or whom it ſhould concern; "and "the provenewe to be juſtlie accounted, which will here-

* MS. S. P. O. Eliot to the Council. Dartmouth, 12 June 1623. Endorſed "About a ſhip ſeaſed laden with rye, *coram* the V. A. the M. of "Dart. the Com[r] of the Cuſtoms."

"after leſſen much if it be not forthwith taken." He wrote at the ſame time to ſecretary Conway, informing him of the details of the occurrence; and urging that in theſe things the want of a ſpecial commiſſion diſabled many ſuch occaſions from being turned to account, where reſiſtance was at all to be apprehended. "Becauſe I "have no warrant ex-officio to hazard anie man's life, "and I ſhould be loath of myſelf to make an adventure "upon the lawes." In what levelled with his power, he added, no man ſhould more faithfully, none more readily, follow the ſervice of his ſovereign. He could ſue to be employed, and, if it were not a fault, therein be ambitious; but his abilities were far ſhort of ſuch deſert, and he would not, under his weakneſs, have his majeſty's ſervice ſuffer. Yet in what Mr. Secretary ſhould think him worthy to be commanded, he would ſtrive to expreſs himſelf Conway's "moſt affectionate ſervant." *

The deſire expreſſed in theſe letters for the people's help and benefit, is manifeſt in all Eliot's official notices. He appears to be on every occaſion, alſo, ſcrupulouſly on his guard to keep the nature of his commiſſion diſtinctly before the council, and, by pointing out the limits of his powers, by adverting always to the claim of the lord-admiral, and by claiming nothing in the way of profit to himſelf that does not ſtrictly fall within his patent, to avert the danger of perſonal imputations. It is not the leſs neceſſary to keep this in mind becauſe he will be found to have failed in his object, ſo important to an honourable man in an age of vice and diſhonour.

As to Nutt, though the lords of the council ſtill continued ſilent, they were not ſuffered to remain at reſt, for on the very day, the 12th of June, when Conway had written to Eliot at the king's deſire, the mayor of Dartmouth, Mr. Thomas Spurwaie, was addreſſing my lords upon the

* MS. S. P. O. Eliot to "the Rt. Hon. Sir Edward Conway, K^t, "Secretarie to his Ma^tie, att Court." Plymouth, 16 June 1623.

ſame ſubject. The recent return of Nutt from Newfoundland had affected the diſtrict as with a ſudden panic, and on all ſides they were ſtretching out hands for help, when the help of Eliot ſo unexpectedly came. The worthy mayor appears to have been filled with admiration of the ſubtlety and ſucceſs, and "the wiſe and diſ-"creet carriage of our Sir John Eliot, vice-admiral," in having at laſt brought to bay a man who had committed ſuch barbarous ravages and cruelties; and not leſs with wonder at the circumſtance of certain private gentlemen having been ſolicitous to obtain pardon for him. Mr. Spurwaie deſcribes the laſt robbery he had committed on the ſhip of Colcheſter "which came from the Weſter "Ilandes loaden with ſugar and woade to the value of "4000*l.* or there aboute," and his cruelties to her crew. He had literally ſtripped them of their clothing, which his own men put on; and in this ſtate Nutt and his fellows had had the inſolence to parade themſelves on the quay ſince they came in, counting on his majeſty's confirmation of the pardon, "boaſtinge of its large extente, "and not aſhamed to weare the clothes of thoſe poore "men in there ſighte, from whom they tooke them few "daies ſince; a parte ſo audatious and barbarous as was "never hard or ſeene in our nation. My goode lordes," the excellent magiſtrate continues, "ſeeinge theſe cruelties "and uniuſt curſes, I have adventured to putt aborde "theſe poor men, in poſeſſion of there goodes, and have "taken a ſhore the ſayles in my keepinge for the better "ſaftie, waytinge whether your lordſhips will further "command me herein." The good Mr. Spurwaie thinks it right further to add to this account an admiring mention of the good ſervices alſo done by the vice-admiral in the matter of a Hamburgh ſhip,* captured by a crew of raſcally Flemings, and retaken without bloodſhed by the promptitude and gallantry of Sir John Eliot. And

* *Ante*, p. 51.

having counted it his duty ſo to advertise my lords, he prays God to increaſe them "with all honour in this "liffe and in the lyfe to com eternal happineſs."*

This letter was delivered to my lords on the 15th of June, by which day, though Eliot was ſtill without reply from the council to his own diſpatches, he had received the letter we have ſeen addreſſed to him by Mr. Secretary Conway on the 12th of June; and to this he had replied on the 16th of that month. After ſtating his willingneſs to expoſe himſelf to all hazards and travail for the happineſs of giving ſatisfaction to his prince or his country, he tells Conway of the proceedings taken as to Nutt before his letter was written; of his having advertiſed the council-table of the fears of the country, and deſired advice from them; of ſuch advice not having been vouchſafed; whereupon, while waiting their anſwer, and having no hope by open attempts to effect anything upon Nutt, he had practiſed another way to allure him whom he could not compel, and upon hope of favour to make him ſtoop; to which end he had gotten an exemplification of an old pardon which his majeſty formerly granted, and with that, and ſome perſuaſions, had prevail'd upon him and brought him to ſubmit and to bring his ſhip into Dartmouth-port. The reſult had been to free the trade, which his lying on that coaſt had ſo much impeacht; and to give no ſmall content to all the merchants,

* The letter (MS. S. P. O.), which had been ſent by meſſenger, marked "haſt haſt give theſe with ſpeede," bears not only the endorſement "Recd. at London the 15th at 4 afternoone," but alſo a note very curiouſly ſhowing the route taken by the meſſenger, and the ſucceſſive dates and ſtages of his journey.

"Hartford bridge paſt 5 in the morning
"Stroud att 3 in the afternoone
"Exceter at 10 in the night the 13th of June
"Att Honyton about 2 in the morninge June 14th
"At Crewkerne paſt 7 in the morninge June 14th
"At Sherborne at 10 in the morninge 14th
"At Shērsbry paſt xii. of the kloke at noone the ſame day
"At Sarrem paſt iij. in th . . . . . the ſame day
"Andever paſt viij. of clocke in . . . . . the xiiij. daye of June."

who as much feared his going to Newfoundland as the evils they ſuffered from him at home. Having ſecured him thus, Eliot proceeds to ſay, he inſtantly again gave intelligence to the lords of the council, ſent them a true relation of what had paſſed, and importuned them to give him needful direction. He encloſes to Conway a copy of this letter, which already has been quoted; and then acquaints him that Nutt's ſhip remains in ſafety without danger of getting forth, having her ſails all taken from her, and a guard on board her which he had placed: but for the perſons of the men, he had thought it beſt not to touch them, until he ſhould be informed of the extent of his majeſty's intentions in the pardon, whereof he dared not be interpreter.*

To this a ſhort but emphatic reply† was ſent by Conway from Wanſtead on the 20th, to the effect that without having regard to any pardon he was to apprehend and put in ſafe cuſtody Nutt and his accomplices, and was further (if not already done) to ſend up Nutt himſelf to the lords of the council. He was to ſeize, and place in ſure hands, the pirate's ſhip; and all the goods ("he being held to be verie rich") were to be kept "without embezelling." He was alſo to enquire of, and keep until further orders, all goods brought on ſhore; in what hands ſoever the ſame ſhould be found.‡ And theſe inſtructions were accompanied by a letter in which the higheſt commendations were beſtowed on Eliot for his ſervice; and wherein it was intimated to him that when the time ſhould ſerve for his attendance at court to render perſonal account thereof, he would be admitted to the favour of kiſſing the king's hand.

* MS. S. P. O. Eliot to Conway, 16 June 1623.

† Conway could not afterwards pretend not to have been fully acquainted with the circumſtances of the capture at the time when this letter of inſtructions was ſent, for the copy bears the endorſement "acknowledgment "of the receipt of his of the 16th" in the Conway letter book (MS.) S. P. O.

‡ S. P. O. Conway to Eliot. This letter was to have been ſent "by "Gegh the meſſenger;" but it was ultimately "ſent poſt at noon."

Before theſe inſtructions arrived, as Conway appears to have anticipated, Nutt had been already ſent up priſoner to the council-table. An order to that effect from my lords, dated the 13th, had reached the vice-admiral four days later, with which he immediately complied. To Conway's letter, Eliot makes grateful anſwer of his unworthineſs for ſuch grace as through his favour he had received, to kiſs the ſacred hand of his ſovereign in the account of his poor ſervice concerning Nutt; and he muſt acknowledge Conway's great nobleneſs that could deſcend to the recommendation of ſo mean endeavours, which in nothing ſufficed to expreſs his affections, or ſhow how much in ſuch commands he coveted his majeſty's ſatisfaction. Since ſending up Nutt to London he had placed his crew under arreſt, and according to his majeſty's directions ſhould continue them in ſafe cuſtody. Concerning the ſhip and goods, he had neglected nothing that might ſecure all that was brought in with the ſurrender, or make diſcovery of any parcels that might before have been landed. Some ſuch he had found and taken into his own hands, where they ſhould remain until his majeſty pleaſed otherwiſe to diſpoſe them. "One "cheſt I yeſterdaie recovered, wherein it was ſuppos'd his "treaſure laie; but I finde it ſoe unfitt a mention in this "place as I dare not ſpeake what it does containe." The reſt would carry, he feared, Nutt's own emblem; the worſt; which he could not yet make better. But ſhould it appear hereafter leſs ill than he feared, he would give his honour all due intelligence.*

On the very day when that letter was written, however, the 25th of June, a communication had been forwarded to the mayor of Dartmouth, importing into the affair a new and unexpected element. Through ſome members of the council, an order of the admiralty-court had been

* MS. S. P. O. Eliot to Conway. Plymouth, 25 June 1623. Endorſed by Conway "Sir John Eliott, concerning his proceeding with Nutt the "Piratt and his men and goods."

obtained for reſtitution to her owners of the Colcheſter ſhip; and immediate compliance with this order, iſſued by way of commiſſion to the mayor and two others, one being the provincial judge of admiralty, Mr. Kifte, was directed to be enforced without delay againſt the vice-admiral. Eliot appears inſtantly to have ſuſpected ſome unſeen influence working againſt him. He had himſelf, from the firſt, made no ſecret of any part of this tranſaction; and had ſtated that he temporarily held this ſhip only in truſt for the admiralty, until the queſtion as to Nutt's pardon, involving payments due to the lord-admiral, ſhould be determined by the council. Nutt, who was known to be wealthy, remained primarily reſponſible to her owners; and the temporary detention of the ſhip by Eliot, to whom they would wholly be indebted for her ultimate reſtitution, was ſimply to retain for that time a power over Nutt, that might be uſed to compel him yet to give back more largely of his ill-gotten gains. In any caſe, Eliot ſeems to have felt that to proceed as now propoſed, ſuperſeding his authority as vice-admiral by an inferior officer of the court, and without further notice of his repreſentations as to the conditions of the pardon, was an unworthy and deſigned ſlight to himſelf. Believing that he was ſecure in the good opinion of Conway and the favour of the king, which had juſt been expreſſed to him ſo ſtrongly, he determined to reſiſt.

His deciſion was communicated to the council by the mayor of Dartmouth, by Mr. Kifte, and their aſſociate, Mr. Staplehill. "Right Honorable," they wrote, "May it "pleaſe your lordſhips to be advertiſed that wee received "letters dated the 25th of June laſt from your lordſhips "directed to us and to Sir John Eliot knight Vice-Ad-"mirall of the county of Devon, by which we were required "uppon ſight therof to deliver a ſhip and goods belong-"ing to certaine merchantes of Colcheſter latelie taken "and brought into Dartmouth by Captaine John Nutt "a piratt: which (according to our duties) wee were

"ready and willing to performe, and mett togeather, "and attended onely this ſervice theſe three dayes laſt. "But the ſaid Vice-Admirall hath not onely denyed the "delivery of the ſame, but hath now taken up and "carried away your lordſhips' letters and alſoe a com- "miſſion directed to us, out of the high Court of "Admiralty, for the ſame purpoſe; by meanes wherof "wee cannot performe that ſervice which was by your "lordſhips commanded. Soe in all duty we humbly "take our leaves. Dartmouth this 4th July 1623. "Your lordſhips' in all humble duty and ſervice to "coñaund. Thos: Spurwaie Maio^r. Will^m. Kifte. "Aldred Staplehill." *

But Eliot had miſcalculated his means of ſuſtaining himſelf in the reſolution he had taken, and had now to learn the ſtrength of the influence, which, from what ſeemed to be a very abyſs of defeat, captivity, and hopeleſs diſgrace, the pirate captain could yet direct againſt him. That month of July had not reached its cloſe, when the vice-admiral of Devon lay a priſoner in the Marſhalſea; and, by the middle of the month following, there had paſſed under the king's own hand, the ſame which Eliot was to kiſs in full reward for having reſcued the land from Nutt's piracy and plunder, a free and unconditional pardon to the pirate and plunderer.†

Before ſhowing what other hand it was that ſecretly had been pulling the ſtrings, and had effected ſuch ſudden changes, it becomes neceſſary to exhibit the nature of the charges preferred againſt Eliot before the council. They are ſufficiently curious to juſtify ſome detail; and, taken with the circumſtances already related, they complete a ſingular picture and illuſtration of the time.

* MS. S. P. O. Endorſed "A le^r from the Mayor of Dartmouth con- "cerning Sir John Elliot."

† The pardon bears date the 18th Auguſt, and, under that date, remains in the ſtate paper office (MS.) of that month.

III. Before the Admiralty Court.

The charge as to the Colcheſter ſhip and her cargo appears at once to have broken down. No pretext was found for alleging that Eliot's proceedings in that matter were in any reſpect wanting in good faith. There is nevertheleſs no doubt that the arreſt of the vice-admiral had been paſſed at the council, upon a complaint handed in by the captain of the Colcheſter ſhip, which, as it is in its way a curioſity of letters, I preſent exactly as it may ſtill be ſeen in the ſtate paper office.

"The 4th of June nowe p~ſant Captaine Nutt tocke "our ſhipe ſume twoe leags of Dartmouthe and caried "hur into ye road of Torbaye whear he and his cum- "peny remained veuinge and ſerchinge hur untell nexte "daye in ye after none after ward Captaine Nutt went "aborde his owne ſhipe and thether ye viſambrall "broughte ye ſaide Captaine his pdone, and havinge con- "ferd cloſly ye spaſe of twoe owers in ye cabine of ye "ſhipe of ye ſaid Nutt ye viſambrall returned aſhore all "this tyme ye ſaid Nutt tocke nothinge from us butt "ye Ambrall Returninge aborde againe wth all ſpeed, "went wth ye Captaine aborde our ſhipe and in his "p~ſance hoyſſted out 14 cheſtes of ſugar ye wche beinge "out ye Ambrall returned aſhore againe he being gone "Nutt cawſed ye haches to be ſhett and noe more ſugars "to be tacken out of our ſhipe, butt p~ſantlie forced all "ye men wch belonged to our ſhipe to goe aſhore only "wth ye clothes thaie had onſt their backes and after- "wardes caried our ſhipe into ye harbour of Dartmouthe "wthout anny one of our men whear wee are informed "ye Ambrall makes price of hur."

The "viſambrall," by which the reader will have diſcovered that the vice-admiral is meant, had little difficulty, as may be ſuppoſed, in diſproving the charge of having attempted flagrantly to play the pirate himſelf; ſeeing that even Captain Nutt, eager to faſten upon him

every kind of imputation, found this particular one too ſtrong for him. He had no recollection of it, he ſaid in his examination; and the worthy owners of the ſhip, the Edward and John, by name Mr. John Eldred, Mr. John Wells, Mr. William King, and Mr. Edward Haſler, ſubſequently bore teſtimony that ſhip and cargo had been reſtored to them without a cheſt of ſugar wanting. It was yet upon a charge ſo made, that the council ſent their meſſenger to bring Eliot up to London; committed him to the Marſhalſea priſon; and afterwards referred it to the judge of the admiralty, Sir Henry Marten, to make report therein.

Nutt was the firſt perſon examined by Marten. Deſcribing himſelf as of Limpſton, in the county of Devon, mariner, and ſtating his deſire to obtain a pardon, the overtures of Eliot, and the condition for payment of 500*l.*, he went on to ſay that he ſignified at the ſame time to Sir John that he had no monies then ready; whereunto Sir John wrote him anſwer that he muſt have money, or money's worth, howſoever he, Nutt, came by it, or elſe the pardon could not be procured. Then, after Sir John had promiſed to procure his pardon, that, he then being with his man-of-war in Torbay, Sir John ſent him word either by Randall or Norber (one was deputy, the other marſhal, to the vice-admiral), that that was no place for him to ride in to get anything, and therefore he ought to go out to ſea. And further, Sir John wrote, in a letter to him, that it was to no purpoſe for him to ride in Torbay, and willed him to go out to ſea until he had his pardon. (Being aſked, upon this, where the letter was, he replied that he had it not, for that Sir John took it among others when he took his cheſt from him.) Alſo that Sir John's deputy, Mr. Randall, on coming to him with a meſſage, had told him that at Dartmouth there were divers ſhips laden with goods and money out of Spain, whereof one had received fifteen hundred pounds for freight; *they* would

be worth the taking; and if he could ſingle out the one with the moſt money, his maſter (meaning Sir John) would work for all. And that it was not till about ten days after his meſſage from Sir John, and eight or nine after Randall's remark, that he ſeized the Colcheſter ſhip with ſugars.

Nutt alſo depoſed, as to goods delivered to the vice-admiral during the negotiation, that three or four days after his firſt letter, he ſent unto Sir John, out of his man-of-war, being then under ſail not far from Torbay (by Richard Randall and John Norber, who came aboard him there in a boat), thirty dozen of calveſkins; and Sir John himſelf never had anything elſe, though what benefit otherwiſe by the ſurrender might have been made he knew not; but Randall and Norber had four pieces of baize for themſelves. He added that thoſe officers came to him four or five times aboard his man-of-war, and treated with him to deliver them ſome goods for their maſter's behalf; but he never delivered them anything except the thirty dozens of calveſkins and the baize. The reſt Sir John had ſeized. All that he brought into this kingdom, Sir John diſpoſſeſſed him of, and took into his cuſtody and charge; compriſing his man-of-war with twenty pieces of ordnance in her, and with cloth, hides, tallow,* and ſuch like things, worth altogether about a thouſand pounds; and the Colcheſter ſhip and her goods, worth about four thouſand pounds.

Further, Nutt depoſed that after he received his pardon from the vice-admiral, he never took any ſugars out of the Colcheſter ſhip, or forced or beat the men out of her; but he confeſſed, that, a little before he received the pardon, he did hoiſt ten or eleven cheſts and a half

* The calveſkins given up and ſeized, as well as the tallow, were afterwards claimed as ſtolen property. A petition lies with the other papers in the ſtate paper office from one Richard Holworthy, owner of a Briſtol ſhip, deſiring reſtitution of certain calveſkins and Iriſh tallow, captured from his ſhip by Nutt, carried into Dartmouth, and delivered up to vice-admiral Eliot.

of ſugar out of the ſaid Colcheſter ſhip into his man-of-war, and did turn her men out of her; but ſo ſoon as his pardon came in, he gave over, and the vice-admiral was not aboard when he hoiſted out the ſugars, neither had he encouraged or willed him ſo to do: but after the ſugars were received into his man-of-war, the vice-admiral being then aboard her, one of the merchants did kneel to the vice-admiral to ſpeak to him, Nutt, not to take his goods; to whom the vice-admiral replied, you may have your ſhip again to get more, although you loſe your goods.

The moſt material point of the firſt charge againſt Eliot was thus denied by Nutt himſelf, though he could not help alloying with a falſehood even that ſmall grain of truth. The charges advanced by himſelf carried with them their own refutation; for it would have taxed even the malice of particular members of the council to have given ſemblance of belief to ſuch a monſtrous accuſation, as that Eliot had openly, by letter and by meſſenger, while at grave riſks purſuing this man's capture, encouraged Nutt in the moſt ſhameleſs and dangerous claſs of his piracies, and pointed out to him profitable ſources of plunder. His officer Randall,* being ſworn, ſolemnly denied their truth. He ſaid it was foul calumny to aſcribe to the vice-admiral any ſuch thing. He denied emphatically having been ſent on any ſuch meſſages, at any time, as Nutt had ſworn. But for himſelf, he ſaid, he had replied to queſtions put to him both by Nutt and his company, on occaſions when he had boarded the pirate, reſpecting ſhips in the harbour of Dartmouth; and he certainly had mentioned that one of them had received fifteen hundred pounds for freight. But he did not thereby in any way encourage a deſign upon any of thoſe ſhips. He vehemently denied having ſpoken the words with any ſuch purpoſe, "but only on

* Who deſcribes himſelf in his depoſition as "of Dartmouth in the "county of Devon, merchante."

"the demand and inquiry of the ſaid Nutt and others of "his company;" and he never in any manner had uſed his maſter's name. Not the leſs, Sir Henry Marten told him at this part of his evidence, had he been guilty of a grave miſconduct in talking as he did, being deputy to the vice-admiral.

Being aſked as to the ſubſtance and effect of the conferences on the part of the vice-admiral, had with Nutt on the occaſions when he ſo boarded his ſhip, Randall ſtated that he did not go until Nutt ſent for him, and, then firſt ſeeing him, Nutt told him he was at that time deſirous to become an honeſt man and to forſake thoſe courſes that he then followed, if he might come in upon his pardon; to which end Randall, having been aſked to procure him conference with Sir John Eliot, rode to Plymouth to Sir John and brought him to Torbay, but Nutt would not then come aſhore to Sir John, nor would Sir John go aboard to him, and ſo Sir John returned and went to Dartmouth, from which place he wrote to Nutt, who ſent back by Sir John's meſſenger (himſelf) an anſwer with a meſſage that he ſhould ſtay till next morning in Torbay for another letter from Sir John, and next day accordingly Sir John ſent him back to Nutt with anſwer by word of mouth. What the letters of Nutt and Sir John might contain, he knew not; but the anſwer by word of mouth was, that Sir John was deſirous to have Nutt ſtay where he was till he ſhould receive ſome news from London; whereupon Nutt ſaid he ſhould ply off and on there upon the coaſt, but he durſt not ſtay long for fear of foul weather and contrary winds.

Finally he was queſtioned as to what monies, jewels, or goods he had at any time received from Nutt, either for himſelf or any others; to which he replied that on the ſecond occaſion of his boarding Nutt's man-of-war, there was put into his boat by Nutt, who was then under ſail going out to ſea, ſix packs of calveſkins containing

about thirty dozen, and four pieces of ſingle baize; which, on returning out of the man-of-war into his boat he found therein, and with which he put off and went aſhore, seizing the ſame for the lord-admiral's uſe, landing them at Dartmouth-quay, making the cuſtoms men acquainted therewith, and then putting them into the vice-admiral's cellar in Dartmouth; ſince which time the calveſkins had been delivered to the proprietors, but the baize ſtill remained in the cellar. He again, at the cloſe of his examination, emphatically declared that no ſuch meſſage, or words in any manner implying ſuch a ſenſe, as that "Torbay was no place for "Nutt to ride in to get anything," had ever been ſpoken by himſelf, or borne to any one from Sir John Eliot.

Sir John was then put under examination. Of the leading circumſtances he gave plainly and ſimply the account already embodied, and occaſionally quoted,* in this narrative; and which his letters, written while under no ſuſpicion of the poſſibility of ſuch queſtions as were afterwards raiſed, bear out ſtrictly in each particular. Until the interview at which he proffered the pardon, he had never ſeen Nutt; and excepting ſix packs of calveſkins, laid aſide at once for the lord-admiral's uſe, he had received from him *nothing*. By boarding Nutt's war-ſhip as he did, he had placed his own life in peril; and the paſſion exhibited by that worthy, on Sir John's remonſtrating at the piracy committed ſince negotiation was opened with him, ſhowed how imminent ſuch peril had been. Indignantly Eliot declared, that ſo far from encouraging Nutt's wickedneſs in any way, he had done everything, not only of himſelf but through others whoſe teſtimony he challenged, to diſſuade and diſable him from its com-

* *Ante*, pp. 47-9. The paſſages in inverted commas are taken from Eliot's examination before Sir Henry Marten. By means of the ſeveral depoſitions before the admiralty-court, which are preſerved in the ſtate paper office, and with the help of letters and other documents alſo ſtill remaining there, I have been enabled to ſupply, in a form which is in all reſpects ſubſtantially reliable and accurate, the narrative in my text.

miſſion. Nutt's own brother-in-law had appealed to him on the pirate's behalf, pending the firſt overtures from Nutt; and to him he had made it the condition of any poſſible favour that there ſhould firſt be abandonment and reſtitution "of all thoſe ſpoils and rapines which he "committed upon the coaſt."

As for having ever ſent him word that Torbay was no place for him to ride in, Eliot laughed to ſcorn that ſtatement. His great deſire had been throughout to keep Nutt by treaty *in* Torbay. It was the ſpecial object of all the endeavours he ſo perſeveringly made, that the man ſhould not remove from the coaſt until there might be ſome means uſed to get him in; and the delays were in no degree attributable to himſelf, but to the failure of replies which he had "daily expected from the "lords of the council." This laſt was a home thruſt; and he dealt not leſs effectively with the extravagant aſſertion of his having ſent to inform Nutt of ſhips worth taking that had come from Spain.

Let Mr. Rooper and Mr. Dove, of Dartmouth, be ſent for, ſaid Eliot. They would prove that immediately at the time to which this ridiculous charge related, he had, through them, arranged with the maſters of that very fleet of ſhips at Dartmouth of twenty or twenty-one ſail, which had juſt come out of Spain, "to "ſurpriſe Nutt in Torbay; to which they agreed and "appointed with him at the firſt opportunity to go "out upon him; but before they could get forth, Nutt "was chaſed away by a Holland man-of-war."

To queſtions having relation to the Colcheſter ſhip, to the goods taken from Nutt, and to the amount of fine to be exacted for the pardon, Eliot anſwered in the ſame frank and deciſive tone. Upon the negotiation being opened, Nutt was to give three hundred pounds for the pardon; but at the interview he agreed to give five hundred, of which due entry was made for ſatisfaction of the lord-admiral. Nutt had never, in his

preſence, taken any cheſts of ſugar out of his Colchester prize or forced the men out of her; but though he did not ſee this done by Nutt, he heard, before going on board his ſhip, that ſome cheſts had been moved and the men beaten out. He had himſelf received from Nutt, before his ſurrender, nothing but the ſix packs of calveſkins that were ſeized by his officers for the lord-admiral's uſe. The fact of this ſeizure was notorious in Dartmouth, and formal notice of it had by his orders been immediately tranſmitted "to Mr. "Kifte, the judge of the admiralty in thoſe parts."

Such were the examinations taken by the chief judge of the admiralty in London, Sir Henry Marten; and it now remains to tell what courſe was thought not unbecoming in a chief judge of thoſe days (and a very fair judge as times went, with certainly a favorable diſpoſition towards Eliot), to whom it had been referred to decide upon charges againſt an officer of ſtate in his own department, preferred by the lords of the privy council.

IV. Justice *with* Respect of Persons.

The examinations were taken on the 24th of July, and on the 25th Sir Henry Marten wrote to the council. According to their reference, he ſaid, he had called before him Sir John Eliot, Captain Nutt, and a man (Mr. Richard Randall) whom Nutt avouched to have uttered, as from Sir John Eliot, certain lewd ſpeeches importing an incitement of him to commit more piracies, upon aſſurance of his pardon as well for thoſe as for the former piracies. Herewith he had ſent to their lordſhips the anſwers of the three witneſſes to his queſtioning, of which, ſo far as they concerned the ſubject propounded in their lordſhips' reference, he conceived the ſum and ſubſtance to be—That Nutt charged Sir John to have given him ſuch encouragement as aforeſaid, both by

letter and by his meſſenger Randall; but Randall entirely denied any ſuch meſſage, or any other ill office done him by direction of Sir John; and the pretended letter of Sir John, Nutt had not been able to produce, alleging it was taken from him among other things in his cheſts. Randall had however confeſſed ſome words ſpoken by himſelf to Nutt's company, which in his (Sir Henry Marten's) opinion implied a very diſhoneſt and wicked ſenſe. Of Sir John's examination, Sir Henry ſimply ſaid that he had completely and utterly denied every accuſation. And ſo, without other remark, he moſt humbly ſubmitted both them and the cauſe to their lordſhips' wiſdom and cenſure.* He thus carefully avoided any expreſſion of opinion as to Eliot, though it did not admit of doubt that he muſt have formed one; and there will afterwards appear reaſon for believing that he was hardly more ſurpriſed or uneaſy than Eliot himſelf at his continued detention in the Marſhalſea. He was in truth a man with much ſenſe of juſtice in him, and he appears from the firſt to have wiſhed that Eliot ſhould be treated with as little harſhneſs as might conſiſt with the convenience of Mr. Secretary and my lords.

He had not on ſuch eaſy terms, however, as at firſt he ſeems to have ſuppoſed, altogether got rid of this troubleſome affair. On the 28th of July, the Duke of Buckingham's ſecretary, Mr. Ayleſburie, a perſon high in his confidence, urgently wrote to ſecretary Conway, to inform him that Sir John Eliot, vice-admiral to my lord in Devon, had told him there were divers caſualties in his charge of which he was to make account to my lord, being tied thereto by his letters patent; and that he feared leſt, by reaſon of his forcible detention in London, my lord might ſuffer thorough ſome negligence or miſcarriage of buſineſſes in Devon. With this he could not but acquaint Mr. Secretary, in duty to my lord and

* MS. S. P. O. Sir Henry Marten to Conway. 25th July, 1623.

no otherwiſe; conceiving that it became him not to be ſilent in his maſter's ſervice, when matters of that nature were in queſtion. Which, in all humbleneſs, he left to Mr. Secretary's wiſdom, deſiring pardon for his boldneſs, which had no other ground but Mr. Secretary's noble and tender care of my lord's affairs; whereof, though the meaneſt, he had yet been a true witneſs from time to time.*

Well might Mr. Ayleſburie ſay ſo; for "my lord," in all that pliant and ſubmiſſive court, had no ſervice more pliable than Conway's. He had been lifted into favour, now ſomething leſs than two years paſt, by the mere fact of Buckingham pronouncing him to be "excellent company;"† and duty to "my lord" had ſince been the law of his being. Strong as had been his acknowledgment of Eliot's ſervice, in Nutt's capture, before the objections interpoſed by the council, his intereſt for him ſince had appeared to have marvellouſly ſlackened; but the poſſible anger of "my lord" was a new conſideration, and, replying to Mr. Ayleſburie by a letter which he deſired him to take to Marten, he wrote to Marten himſelf, and he wrote to Eliot.‡ To the judge went the great duke's man accordingly; and on the 4th of Auguſt reported to Conway that Sir Henry would immediately be ready with the further letter deſired in the buſineſs of Eliot, and that Eliot had made him acquainted with what Mr. Secretary had ſent to himſelf, which, though it gave him a notice he had never expected, he was yet much bound to his honour for. Mr. Ayleſburie cloſed his letter by aſſuring Conway that his conduct declared his nobleneſs to my lord, and juſtified the high eſteem in which the writer well knew that

* MS. S. P. O. Dated "Weſtminſter," and endorſed "Mr. Ayleſburie "concerninge Sir John Eliott."

† This, wrote Chamberlain to Carleton on the 5th October, 1622 (ſtate paper office, MS.), with a daſh at prophecy which the reſult ſhowed him to have made not too confidently, "is like to make him ſecretary."

‡ Theſe letters all bear date the 2nd Auguſt from "Saliſburie."

his gracious maſter held Conway's faithful love and friendſhip.*

Sir Henry Marten's ſecond letter in Eliot's buſineſs bears date that ſame 4th of Auguſt, and its opening intimation reveals to us, as well the character of the requeſt which Conway had made to him, as the name of the perſon who in ſecret had been influencing all thoſe proceedings taken by the council againſt Eliot that had made ſo vaſt a change in his proſpects and poſition, ſince the day when his majeſty's ſecond ſecretary of ſtate had eagerly and prematurely promiſed him the favour of kiſſing his ſovereign's hand. This was no other than his majeſty's principal ſecretary, Sir George Calvert, ſoon to avow himſelf a Roman-catholic and retire acroſs the Atlantic with the title of Lord Baltimore, and for the preſent ſo buſy in looking after his colony in Newfoundland as to have thought a ſervice rendered to his intereſts there, by a pirate captain, atonement enough for all that pirate's atrocious crimes, and reaſon ſufficient for ſetting up a confeſſed infamy above the fame and ſervice of an Engliſh country gentleman of rank and eſteem, himſelf a high officer of ſtate.

Marten begins by acknowledging Conway's letter concerning Eliot. Already he had taken examination of the latter by order from the council-table, as well as depoſitions from Nutt and Sir John's deputy, copies of which he had ſent to Mr. Secretary Calvert, with what ſeemed to him the brief effect and ſum thereof. Then, after repeating what in ſubſtance he conceives this to amount to, and eſpecially indicating Nutt's failure of proof as to any of the charges made, he goes on to ſay that to deliver ſuch a conjecture or gueſs of the ſtate of the cauſe as his honour required, would produce a long diſcourſe, and one not neceſſary to the conſideration of whether Sir John's preſent liberation might not be expedient. It was his opi-

* MS. S. P. O. Dated "from Weſtminſter for y^r Honor."

nion that he ought to be enlarged. To keep him longer in impriſonment, at this time, muſt of neceſſity be very inconvenient to his majeſty's ſervice and my lord-admiral's profits; whereas to enlarge him upon fitting cautions until my lord's return could breed little inconvenience. On the other hand the inconveniences to my lord by his longer reſtraint would be—

Could a judge, addreſſing a ſecretary of ſtate in this reign, have argued a man's title to impriſonment or freedom in a faſhion more appropriate, having the evidence and proofs of innocence or of guilt before him, than by ſhowing in how far the one or the other would be convenient or inconvenient to my lord?

—The firſt inconvenience would be, that Sir John having under his charge, to the uſe of my lord, divers ſhips and goods to a great value, he might pretend for an excuſe that in his abſence they periſhed or were diminiſhed. The ſecond inconvenience was, that he and his deputy Randall being both impriſoned, all things belonging to the lord-admiral were neglected in thoſe weſtern parts. And the third was, that this time of the year afforded uſually greateſt matter of buſineſs, and required by occaſions moſt care and attendance of my lord-admiral's officers. As for his majeſty's ſervice, that muſt of neceſſity ſuffer, becauſe, by the law of this realm, the principal employments of that nature were ſo tied to the perſons of the admiral and his lieutenant or deputies that without them they could not legally be performed by ſequeſtrators. As for example, a ſeſſions for the admiralty ought at this time to be kept in the Devon vice-admiralty for the execution of ſome of Nutt's men, who, being twenty-three in number, did ſo peſter the priſon that an infection was feared; as to which, Sir Henry continued, he was daily importuned by the magiſtrates of that country, who did alſo adviſe that if they ſhould all be ſet at liberty they would undoubtedly do ſome notable miſchief, and a ſeſſion could not

poſſibly be held there without Sir John Eliot the vice-admiral—

Such ſeverity on occaſion can this conſiderate and impartial judge aſſume, that while he heſitates to declare whether Nutt ſhould hang Eliot or Eliot ſhould hang Nutt, he entertains no doubt of the propriety of Eliot's going down to hang Nutt's crew, whoſe ſole crime conſiſted in the fact, that they had been the accomplices and agents of Nutt's far greater crime.

— Since, therefore, Sir Henry continued, in his apprehenſion it ſo much imported the ſervice of his majeſty and my lord, that Sir John Eliot ſhould continue in the place of his government until my lord-admiral's return, and his being there in ſuch interim could in any caſe do little harm "if he be cauteloufſlie bayled," it was to be hoped that that plan might be adopted. In the mean time (he is really too juſt not to add), he muſt do Sir John Eliot this right to ſay, that his bringing in of Nutt was *factum bonum* if not *bene*; for, though Nutt did ſolicit for his pardon, and offered thereupon to come in, yet he ceaſed not to pillage and commit outrage upon all the veſſels he could meet and maſter, until the day when Sir John Eliot did gull him with the ſhow of an exemplification of a pardon out of date. And ſo, with thanks to his honour for having eaſed his heart by the aſſurance that his majeſty had *not* withdrawn from his judge of the admiralty his uſual annual favour of two bucks, "the very conceit whereof would have done him more "hurt than any bucks could do him good," he humbly takes his leave, and reſts Mr. Secretary's moſt humbly to be commanded.*

That was on the 4th of Auguſt; and whether Mr. Secretary was likely to have given greater heed to its moving interceſſion for the rights of my lord, or to its unmoved intimation of the probable innocence of Sir

* MS. S. P. O. Endorſed "for y^r honour;" and, by Conway, "S^r "Henrie Marten, concerning Sir John Eliott's buſines."

John, it is not given to us to know; for now his fellow secretary appears upon the scene, not scrupling to express under his own hand a sympathy for "that un-"lucky fellow Captain Nutt." The effect of Sir George Calvert's letter was to trouble the judge of the admiralty with two more questions, which may be given, with the replies, from Sir Henry's draft, still lying in the state paper office.

"I have endeavoured according to yo^r command to "returne you some satisfactory answeres to the ques-"tions which yo^r H. yesterday propounded to me, con-"cerninge Captayne Nutt.

"*Quæst.* 1. Whether Captayne Nutt did command "any pyracy after S^r John Ellyot had been with him "and shewed him his pardon?

"*Answere.* I doe not find he did, but untill that tyme "that S^r Jo. Ellyot was with him and shewed him an ex-"emplificaõn of his pardon he did daylye continue his "pillaging and spoyling of all that he could meete and "master, which were very many ships as I understand.

"*Q.* 2. What restitution hath been made of the "ships and goodes taken by Captayne Nutt.

"*Answere.* Since he came in, the Admiralty, by "direction of the L^ds of his Majesties Councill, hath "made restitution to the proprietors of the Colchester "ship and goodes as also to the Bristow men of their "goodes.

"And Nutte's man of warre and the rest of the "goods by him brought into Dartmouthe doe still re-"mayne there in sequestraõn.

"HENRY MARTEN." *

Mr. Secretary Calvert pronounced these answers of Sir Henry's to be somewhat of the driest, and thought "he might have made his certificate fuller if it had

* Endorsed by Conway, "Sir H. Marten's opinion concerning S^r "John Elliot's businesse, and touching Captayne Nutt the pyrate."

"t pleaſed him, and with as good a conſcience alſo." So difficult was it for the warieſt of judges to pilot himſelf through thoſe quickſands and ſhoals of my lord and two ſtate ſecretaries. However, Sir George Calvert conſoled himſelf by thinking that Sir Henry's cold comfort might yet ſuffice to give his majeſty ſatisfaction; and went on, with a very ſuſpicious earneſtneſs, to proteſt that he was not himſelf to receive any direct recompenſe from the object of the king's grace, if ſuch grace ſhould be extended. In other words he was not to have any ſhare in Nutt's well-known gains. "The poore man," he plaintively continued, "is able to doe the king ſervice, "if he were employed; and I doe aſſure myſelfe he doth "ſoe deteſt his former courſe of life as he will never "enter into it againe. I have been at charge already of "one pardon, and am contented to be at as much more "for this, if his ma^ty will be gratiouſly pleaſed to graunte "it. Wherein I have no other end but to be gratefull to a "poore man that hath been ready to doe mee and my "aſſociates courteſies in a plantacõn w^ch we have begunn "in Newfoundland, by defending us from others w^ch "perhapps in the infancy of that worck might have "done us wronge. And this is all the end and intereſt "I have in it; not looking for any manner of recom-"pence from Nutt, or any friend of his whatſoever, "upon the faith I owe unto God and his majeſty."* His majeſty could not reſiſt the appeal. Captain Nutt was pardoned, and Eliot was left to the lords of the council to be dealt with as they might determine.

In a letter addreſſed to ſecretary Conway from his houſe in Alderſgate-ſtreet, dated on the 10th Auguſt, Sir Henry Marten makes a comment on this reſult of the affair much too characteriſtic not to be given in his own words. "Right Honorable," he wrote, "I have "rec: now two lrẽs from yo^r hono^r the latter dated the

* MS. S. P. O. Endorſed "for yourſelfe;" and, by Conway, "Mr. "Sec^r. Calvert. Receipt of the copie of the award ... Capt. Nutt's pardon."

" 8th of this, by wch I underſtand his Maties reſolucon to " continue Sr John Elliott in priſon grounded as upon the " informacon of the lordes. *I am glad I did forbear to* " *deliv my own opinion of the ſtate of his cauſe leaſt* " *phaps it might have differed ſomewhat. Well! I pray* " *God this turn not moſt to the diſadvantage of my Lord Ad-* " *mirall!* In yor honors former lre of the 7th of this " moneth I receaved incloſed warrantes from his matie for " a Brace of Buckes, for wch I moſt humbly thanke his " matie, and heerin allſo as for yor many other noble " favors acknowledge my ſelf for ev obliged to bee Yor " honors faithfull ſervant to bee commanded, HENRY " MARTEN." *

From which it is clear that the worthy judge of the admiralty was at leaſt the better by two of his majeſty's bucks at the cloſe of this tranſaction; and it only further remains to exhibit what was felt and ſaid by Sir John Eliot while his fortunes thus were under conſideration, and with what degree of equanimity he has ſeen the vice-admiral of Devon weighed in the balance with that freebooter of the ſea, whom ſecretary Calvert called the unlucky fellow Captain Nutt, but whom *he* called a plunderer and aſſaſſin.

V. IN THE MARSHALSEA PRISON.

Conway was at Saliſbury when the order for Eliot's arreſt was iſſued, and on his return Eliot addreſſed him in language of temperate complaint. His letter is dated from the Marſhalſea in Southwark on the 29th of July. As his ſervices in the reducement of Nutt, he wrote, had received large reward in his noble acceptance, and had been by him recommended to his majeſty, he ſhould hope now, with the ſame grace, to find ſome favour for himſelf who was in nothing more affectionate than to

* MS. S. P. O. Marten " to the right honble. Sir Edward Conway, " Knt, one of the principall Secretaries to his Mtie."

become his ſervant. The directions in that buſineſs which Mr. Secretary had given him, he had faithfully proſecuted; and in every point concluded ſo happily, that he had preſumed it ſhould have given him ſome ſatisfaction of his endeavours, whereof his honour already poſſeſſed a juſt account. But thoſe endeavours had been otherwiſe interpreted. A ſuggeſtion had been made to the lords of the council, and thereupon he had been ſent for up, and by them committed to the Marſhalſea until further examination could be made. By order of the table, Sir Henry Marten was to report what he found; and, to ſhow his diligence upon the command of the lords, that learned judge "ſent for ſome of my officers "out of the countrie and ſtrictlie examined both them, "and myſelf, and others, concerning the paſſages of that "buſineſs; but met not a circumſtance which had anie "appearance of my miſcarriage." Upon this, Eliot continues, Marten had prepared his report to ſatisfy the lords (he had doubtleſs informed Sir John that ſuch was his intention, with what truth has already been ſeen); but before it was deſpatched, the ſittings of the council were diſſolved, ſo that nothing could be done. By that delay he was like to be continued in the Marſhalſea during the whole vacation, unleſs his honour, to whom he was now a ſuitor, pleaſed to favour him. He aſſured himſelf that Conway's own nobleneſs would incline to ſome reſpect in the caſe, as well for the buſineſs itſelf, wherein he had, as vice-admiral of Devon, ſpecially followed Mr. Secretary's command, as for the ſervice of my lord-admiral, to whom he knew that Mr. Secretary was a friend, and whoſe affairs in the country, at that time committed to his vice-admiral's truſt, ſtood very uncertainly by reaſon of the writer's having been hurried ſuddenly from thence. Beſides a great charge of ſhips and goods, wherein my lord might ſuſtain prejudice by his abſence, there was the loſs of "all new occurrents" that would have to wait for his neceſſary attendance.

Poor Eliot! he too is fain to uſe the argument for his own liberation which he knew then to carry greateſt weight with the ſovereign and the ſecretaries; and leſs to ſtate his claim as of right, to which any individual in thoſe days could ſet up ſmall pretenſion againſt an order or warrant of the council, than as matter of convenience to my lord. Happily it was this, and other like experiences, that nerved him to the later ſtruggle for guarantees of perſonal liberty to all his countrymen, in which though he loſt his life, he obtained his fame and his immortal remembrance.

His letter concluded with a requeſt for Conway's help. He had forwarded a petition for immediate liberation to the king; and as Mr. Secretary had been pleaſed already in the matter to repreſent his ſervices to his majeſty, would he now alſo, in the ſame, further that petition for his liberty, and give it the aſſiſtance of that power which could ſoon accompliſh his deſires? "Were "I in anie thing faultie," Eliot touchingly added, "I "would not diſhonour your worth with the title of my "patron; but beinge onlie unfortunate, I hope to find "you ſoe noble as I ſhall not languiſhe heer." Either the judge of admiralty himſelf, or the duke's perſonal ſecretary, appears to have entirely miſled Eliot as to the nature of the report ſent in by Marten to the council; for he proceeds to repeat to Conway that ſuch report had been wholly favourable to him, and that his misfortune now conſiſted ſolely in the fact that the breaking up of the ſittings of the council had prevented its taking effect. He goes on to ſay that if the manner in which his own anſwers before the admiralty-court had been ſet down, ſhould in any point ſeem to import not enough to ſatisfy his honour, he is confident that Sir Henry Marten would readily, upon the leaſt command, certify all he had depoſed. He ſhould never preſent his honour with anything untrue, and he preſumed to find ſuch free entertainment at his noble hands that his hopes might at once receive both motion and life. He ſhould therein become a

demonſtration of Conway's virtue; and though it might exceed his own deſerving, the world would have more occaſion thence to celebrate Mr. Secretary's worth, which he ſhould ſtill admire, and in all duties be ready for his commands, wherein he was devoted his honour's thrice humble ſervant.*

Conway's reply undeceived the priſoner of the Marſhalſea upon ſome points as to which he had been moſt confident. It informed him that other conſiderations were now in queſtion beſides Sir Henry Marten's report. It told him that his carriage throughout the affair had been diſtaſteful to ſome of the lords, who had been able in conſequence to prejudice the king by complaint againſt him. It alſo ſtated the interference of the other ſecretary, Sir George Calvert, and the offence which had been given to him by the mode of Nutt's capture.† This latter point had already, indeed, been urged againſt him, when firſt brought before the council; but he had replied to it, there, by aſſurance that he acted without the leaſt knowledge that the pardon, of which he availed himſelf merely as an artifice, had been obtained at the interceſſion of a ſecretary of ſtate; and the idea now preſented to him in Conway's letter, of his having in all likelihood ſought to croſs ſome claim of ſecretary Calvert's on Nutt by ſubſtituting one of his own, appears in ſome ſort to take him by ſurpriſe. He at once rejects and repudiates it.

It was true, then, he wrote in his rejoinder (dated from the Marſhalſea on the 4th Auguſt), that, as ſtated before the council, the pardon was at firſt procured by ſecretary Sir George Calvert, and he might therefore "ſuppoſe "himſelf therein croſt by me; but my ignorance may "be my apology." Both to Mr. Secretary himſelf, and

* MS. S. P. O. Eliot "From ye Marſhalſea in Southwarke, 29th "Julij 1623," to Conway; by whom it is endorſed "Sir John Eliott con- "cerninge his owne buſineſſe."

† MS. S. P. O.

before the lords at the council-table, he had vouched his ignorance of who it was that had obtained the pardon. He had uſed it only as one out of date, and expreſſly as an artifice. He was ſo far from ſeeking by its means anything but Nutt's capture, that he imagined not of any other thought hid under it. That main end he had ſteadily followed; and out of the mere ſhadow, which he conſidered the pardon to be, he had derived ſo good a ſubſtance, that he preſumed rather to merit than to diſpleaſe, and did hope to receive a fair conſtruction in all men's judgments for the ſame.

Conway's expreſſions, in the letter to which he is thus making reply, conveyed probably ſomething not altogether pleaſing to Eliot, whoſe preſent communication had in it, therefore, more of the character of a ſpirited and ſelf-reliant proteſt than any other writing of his in the affair. "I am ſorrie," he ſaid, "my actions have beene miſtaken, "and that my carriage, which I intended with all reſpect to "the ſatisfaction and ſervice of the ſtate, ſhould diſtaſte, "or give occaſion to anie of the lords to informe againſt "me to his majeſtie. I deſir'd no more honor than to be "publicklie heard and cenſur'd by the lords, had they "ſate; and now, in reſpect of the time, I onlie ſeeke a "cure for the delaie I am in, which will as well diſeaſe "the buſineſſe of my Lord Admirall, as my private for-"tunes. If I have done anie thing unworthilie, I will "not wronge the juſtice of my ſovereigne, or your noble "favor, to ſtudie an eſcape. Not but that I caſt my-"ſelfe at his majeſtie's feet, and onlie deſire your hand "to raiſe me up. But, being conſcious of myne owne "freenes in all that can be alleadgd, I dare not wave my "juſtification. That were to charge it with the implicite "confeſſion of a guilt, wherein I humblie praie to bee "excuſed."

In a tone and ſtyle not leſs ſpirited than this exordium, Eliot then adverts to the charges which already he had met, before the council and in his ſubſequent examination.

"At the council-table," he ſays, "two things were "objected. One, a ſecuritie I had taken from the piratt "*to my Lord Admirall's uſe* for five hundred pounds. "The other, a receipt of certaine goods from him before "his cominge in. Both theſe I acknowledg'd; and, as "I conceive, they are the proper duties of my place. "For the goods, which were but of ſmall value, I did "not onlie take them, but would gladlie have gotten all "the reſt he had by any treatie, whileſt I was uncertaine "of his cominge in, that they might be p~ſerved for the "owners. And this I did, not ſecretlie to aſſume in "private an intereſt to myſelfe, but ſeizing them to the "uſe of my Lo. Admirall and the proprietors; for "whom they were ſafelie kept, and have been ſince "reſtor'd by order from the lords."

A ſenſe of indignant truthfulneſs ran through the whole of this letter. The facts were ſtated ſimply, and with manly aſſertion of the only legitimate intention or conſtruction they could poſſibly bear, in the ſight of men of honour. The ſole queſtion that could have been raiſed had relation to the five hundred pounds fine exacted, but in the ſecurity it was expreſſly named that this was for the lord-admiral's uſe; and Eliot now reminded Conway of the intimation which he had himſelf in diſtinct terms conveyed, that Nutt was believed to be rich. For the ſecurity, therefore, he continues, "my "acte I thinke as lawfulle; not tending to the prejudice "of anie man, but to draw that benefitt to my Lo. "Admirall from the pirat if he had laid up anie treaſure "in forraigne parts; wherein, I hope, your honor will "not thinke me an ill ſervante."

The moſt remarkable part of the letter, however, was that which had reference to the perſonal accuſations brought by Nutt againſt him. Here Eliot throws off all reſerve; and, with a full knowledge of the friends whom the man had obtained, and of the ſtrength of the influence which yet might be brought againſt himſelf,

he denounces this client and protégé of the king's chief ſecretary of ſtate, as a malicious aſſaſſin. "I have been "ſince," he writes, "upon the reference, interrogated of "other points which the pirat had ſuggeſted for abetting "him in his villanies, wherein, as I am free in myne owne "knowledge, the examinations and circumſtances will I "hope likewiſe acquitt me to the world. Of myſelf I "ſpake not with him, nor ever ſawe him before my "goeinge aboard him with the exemplification of his "pardon, upon which he ſubmitted and came in. I "neither by letter, or meſſage, 'changed a ſillable with "him to that purpoſe, nor had ſoe fowle a thought. "This, as I have dilated in my anſwers, I am readie to "averr upon oath; and cannot ſoe much yet undervalue "my integritie, to doubt that the words of a malicious "aſſaſſine now ſtanding for his life, ſhall have reputation "equall to the creditt of a gentleman. *In him* I wonder "not to finde that baſeneſs, havinge in all things profeſt "himſelf a villaine, and ſtained his countrie with bar-"bariſmes unheard of! Seeinge himſelf train'd in by "me, upon the color of a pardon which was out of date "and of noe force, and ſent up hither with a true rela-"tion of his deeds, that he might be hang'd, malice, "without an inſtigator, were enough to put him upon "this revenge!" * But if he had wanted other inſtigation, doubtleſs it was at his ſervice. Mr. Secretary Conway muſt have been ſomewhat ſtartled at this plain-ſpeaking. The dauntleſs and unyielding ſpirit which made Eliot afterwards illuſtrious in the Tower, above all the men whoſe greatneſs and courage redeemed the ſervility of the time, ſhone through every line of this proteſt from his priſon of the Marſhalſea.

At the cloſe of his letter he made alluſion to the danger he had undergone in the ſervice that had been ſo

* MS. S. P. O. Eliot to Conway. 4th Auguſt 1623. A ſmall brilliant ſeal of red wax is ſtill attached to this letter, of which the ſubject is a figure recumbent under a tree, with the legend "TVTVS IN VMBRA."

undervalued. He beſought his honour to give him leave to point at the danger he adventured for that ſervice, in going aboard the war-ſhip of a man of that character; for, had either Nutt, or any of his crew, diſcovered the intended artifice, he could neither have expected the ſucceſs that followed to the public good, nor himſelf to have returned with life. Having weighed or eſtimated, therefore, no hazard therein, if he had not otherwiſe deſerved ill he ſhould hope to find protection. If he failed not much, the original cauſe of the diſtaſte conceived againſt him was his diligence in making available the exemplification of the pardon; but he was anxious to learn the terms of the complaint againſt him. He had been bold to enlarge himſelf in that diſcourſe to his honour. The aſſurance he had of his favour continued, and he ſhould render humble thanks if his honour would vouchſafe him intelligence of the complaint againſt him. He believed it to have been made upon the ſuggeſtion of Nutt, before he had himſelf been heard or examined, and that the examinations muſt have given ſatisfaction reſpecting it. Wherein his innocence made him ſo confident, that he ſhould ſtill hope to retain his honour's favour and to be thought worthy the title of his moſt humble ſervant.

On receiving this letter Conway could not longer reſiſt making a final effort for Eliot. He obtained a ſitting of the council, and told him to hold himſelf in readineſs to appear before them: but again Calvert proved too ſtrong for both. He forced ſuch buſineſs before the table, that to call or hear Sir John was impoſſible; and, that occaſion being loſt, and Nutt ſtill permitted to ſtand as accuſer as well as criminal, Calvert had the leſs difficulty in getting the king's ſignature to his pardon: though he remained in cuſtody ſtill, under the ſame reference of the council by which Eliot had been committed. In communicating to the latter the attempts he had made on his behalf, Conway appears now to have

expreſſed himſelf with unuſual ſtrength and warmth in Eliot's favour, upon every point at iſſue in the tranſaction. He had probably a wholeſome fear of "my lord," operating with ſuch other leaning as he might perſonally have to the vice-admiral; but, out of whatever motive he had written, his letter was preciſely of the kind to touch a generous heart. Eliot's reſentments were at once flung down, and he deſired that Mr. Secretary ſhould feel only the grateful ſenſe he had inſpired. Theſe two contraſted letters of Sir John, following each other ſo cloſely, are ſingularly and happily characteriſtic of a ſtrong, warm, high-ſpirited, yet tender nature.

As all courteſies, he wrote (this letter bears date the 18th of Auguſt), were meaſured from their own centre, and by direct laws were drawn to more or leſs according to the quality and greatneſs of the door, ſo was the debt by like diſtances enlarged. That conſideration made the writer's oweings infinite to his honour, who had deſcended to the reſpect of one ſo far beneath his worth. It could not but be acknowledged noble in him, however the unworthineſs of its object might oppoſe the effect. He confeſſed himſelf, looking back upon his troubled life, an unapt ſubject for any favour. It ſeemed as though he had it caſt in his fortunes to be unhappy, ſince from them ſo many difficulties were reflected on his beſt hopes that his deſires were become troubleſome. Sorry had he been, of late, to be an occaſion to his honour of ſome diſturbance, in the thought of thoſe buſineſſes which concerned him. He could not merit ſuch great grace; but if his honour pleaſed to pardon him, he ſhould give his whole endeavours for a recompenſe. Though theſe might not ſatisfy, they ſhould be directed truly to ſerve him, and he would eſteem them only as they ſhould expreſs his thankfulneſs. He had acted on Mr. Secretary's direction. He had prepared himſelf to move the lords for his diſcharge, and had the opportunity for their meeting which gave him hope; but ſome other buſineſs

intervenient, which ſuffered him not either to be called or heard, prevented all. In theſe bad ſucceſſes he muſt now ſubmit to a long expectation, ſhadowing his innocence under the protection of his honour's judgment; in which he was confident of a fair opinion. "Againſt all "croſſes," he concluded, with a quiet manly reſignation, "I have that comfort, to be therein both rightlie knowen "and underſtood. My ſufferance will be little in "reſtraint, my reputation being free. In that, though "I cannot ſuddainlie ſatisfie the whole world, having "your hoñrable approbation I am ſafe. Soe much "now I crave, for which I ſue to kiſs your honor's "hand; and that I may have leave to be entitled as I "am vowed your honor's thrice humble ſervante J. "ELIOT."*

It is clear from this letter that Eliot had reſigned himſelf to a long impriſonment. Its exact duration does not appear, but he was certainly in cuſtody at the end of September. That is the date of a petition from Nutt to the council which winds up the affair with much appropriateneſs. The pirate is ſtill under charge of one of their meſſengers; but the ſame favour to which he owes his pardon, of which he ſpeaks with becoming pride, has alſo obtained him a grant of a hundred pounds out of his ſhip and goods ſeized by the vice-admiral of Devon. Their lordſhips, that is, have granted, but the vice-admiral won't pay. "Soe," complains this good man, "it is, may it pleaſe your good lo^ps, that S^r John "Elyott, being by the Judge of the Admiraltie required "(in regard the goods were in his handes) to performe "your lo^ps ſaid order, anſwereth that he cannot unles "he may have libertie to go into the country. It was "tould him that was noe excuſe; he might ſend to his "deputie. He anſwered he would not. Then the

* MS. S. P. O. Eliot to Conway. 18th Auguſt, 1623. The ſubjoined memorandum is on the back. "Hartford Bridg. paſt X aclock. "Rec. at Baſinge Stoake at 1 afternoone."

"meſſenger (in whoſe cuſtody your petitioner is) "offered him that he would take up a 100*l.* here in "London if he would give ſecuritie to paie it at Exeter "to Alderman Provis in ſome reaſonable tyme. But "he anſwered he would not; ſaying the lordes might "keepe him here 7 yeares, for ought he knew; and that "yo^{r} lo^{ps} ſaid order did nothing concerne him! Neither "would he deliver any goods unles it were taken from "him by coñiſſion. So that y^{r} lo^{ps} order is verie "much ſlighted, and nothing at all regarded." *

That is the laſt glimpſe we have of a connection which for the time, by ſo ſtrange a chance, linked the fortunes of a man ſo famous to thoſe of one ſo infamous; and it is ſatisfactory to obſerve that Sir John's ſpirit has riſen, rather than flagged, with his prolonged impriſonment. It may have proved to be a trial of his powers of endurance, not inopportune, which was to fit him for much that afterwards awaited him. When, in exactly nine years from this time, he was dying in another priſon, "low in body, yet as high and lofty in mind as ever," one of the news-letter men was writing to Lord Brooke that Captain Plumleigh had been ſent to the Iriſh coaſt with one of the ſhips royal, and two whelps, to ſeek out Nutt the pirate, but was met by him and twenty-ſeven Turks who gave him chaſe, and had the captain not hied him the faſter into harbour, might have ſunk or taken him.† With great propriety had the ſucceſsful villain repaid during thoſe nine years, by a ſeries of ſuch humiliations as this, the royal favour and ſtate protection which alone ſaved him from the gallows Eliot had built for him. He had become, at length, incomparably the greateſt nuiſance in his majeſty's dominions. Nothing on the

* MS. S. P. O. Addreſſed "to the Right Honorable the Lordes and "others of his Ma$^{tie's}$ moſt honorable Privy Counſell."

† Pory to Lord Brooke. MS. S. P. O. 25th October 1632. The ſame letter contains the mention, hereafter to be quoted, of Sir John Eliot dying of conſumption in the Tower.

ſeas was ſafe from him, and he ſtruck at the higheſt quarry. Immediately after that Plumleigh adventure, upon Lord Wentworth ſending over to Ireland a ſhipful of luggage, furniture, wardrobe, and plate, for his due equipment as lord-deputy, Nutt made prize of the whole; and there is no reaſon to believe that he would leſs have enjoyed this capture, if he happened to remember that Wentworth was very intimate friend to his own old friend and patron, ex-ſecretary Sir George Calvert.

How long Eliot lingered, then, in the priſon of the Marſhalſea, is not known to us. Whether or not the firſt week in October, which witneſſed Buckingham's return from Spain, and found his vice-admiral ſtill in priſon, may be aſſumed to be alſo the date of Eliot's releaſe, it is impoſſible to ſay. It is only certain that he was a free man, and canvaſſing for a ſeat in parliament, the following month. With what feeling the lord-admiral viewed this long and monſtrous impriſonment of his own officer and repreſentative, for gallantly protecting the ſubject and ſpiritedly enforcing the laws againſt a man who had paſſed his life in plundering and outraging both; and whether Eliot's liberation was even at laſt attributable in any direct way to himſelf; no one has cared to record for us. For a brief ſpace after the return from Madrid of the Prince and Buckingham, without the Infanta, everything elſe was whirled away and forgotten in the ſenſe of deliverance from Spain. Nothing was audible but the ſhout of popular welcome for the prince and the favourite. "They came to London on "Monday 6th October," writes Laud in his Diary, "and the greateſt expreſſion of joy by all ſorts of people "that ever I ſaw." Perhaps Eliot himſelf thought nothing for the moment of his wrongs.

To no man, even in that age, could the promiſe of hoſtility with Spain have come with more glad and eager welcome than to Eliot. We have ſeen what his earlieſt impreſſions on this head are likely to have been, and we

know what were his later and ſettled convictions. It is little to ſay that he had never forgotten or forgiven the death of Raleigh. It was his cardinal point of faith in public affairs that the Spaniſh power repreſented on this earth the evil principle in politics and in religion. But before the time (now imminent) arrives, wherein his quick and ardent ſpirit will be ſeen as reſolute againſt evil in the council of the nation as heretofore againſt its champions on a narrower ſtage, ſome remark may properly be interpoſed on the out-look of affairs at home and abroad at this extraordinary period in England.

Matters of general hiſtory or character are neceſſarily here to be avoided, except ſo far as may be needed for illuſtration of individual conduct, or of particular queſtions calling forth its diſtinctive energies; but it not more belongs to my deſign that the true weight and purpoſe ſhould be given to individual character by ſhowing its relations to hiſtory, than that light and life ſhould be carried into hiſtory by particular details of character.

BOOK THIRD.

KING JAMES'S LAST TWO PARLIAMENTS.

1620-1—1623-4. Æt. 30—34.

I. The Meeting in 1620.
II. Proteſt of the Commons of England.
III. Spaniſh Match and Journey.
IV. Calumny.
V. Preparation for the Meeting in 1623.
VI. Member for Newport.
VII. Prorogation and Diſſolution.

I. The Meeting in 1620.

SO momentous a time as that at which the parliament of 1620–1 had met, now ſomething more than two years ſince, had not been known in England. Only eight years were paſſed ſince the youthful German prince, Elector Palſgraf, Count Palatine of the upper and lower Palatinates, carried back to Heidelberg and Munich his newly-wedded princeſs, the eldeſt daughter of England: but events had filled thoſe years ſuch as make and unmake kingdoms, and ſettle for generations the deſtiny of the human race. Proteſtant Bohemia had riſen againſt her Roman-catholic emperor; the young Count Palatine, not waiting for his father-in-law's ſanction, had accepted the crown offered him by the States; and, after ſix months' poſſeſſion of an uneaſy throne, was now a wanderer, ſtripped of his Palatinate as well as of his crown.

England, filled with hearts throbbing to aſſiſt him, had been left fretting in vain and unſatisfied deſire; until at length even James was ſhamed out of his indifference, and, haſtily ſummoning that parliament of 1620–1, ſeemed to promiſe the more active interference to which all that was devout and brave in the kingdom would have urged and impelled the king.

When the news reached England of the offer, and before the elector's acceptance, of the Bohemian crown, there was one councillor of James whoſe advice, if taken, might have ſaved his dynaſty. Archbiſhop Abbot,* attacked by gout, and unable to attend the board, ſent by letter to the ſecretary of ſtate his opinion that the Palſgraf ſhould accept, that England ſhould ſupport him openly, and that, as ſoon as news of his coronation ſhould arrive, the bells ſhould be rung, guns fired, and bonfires made, to let all Europe know that ſuch was the determination. "Methinks I foreſee in this," ſaid the pious prelate, "the work of God, that by degrees the "kings of the earth ſhall leave the whore to deſolation." Doctor Lingard makes merry with the phraſe; but what the brave old man went on to ſay, is what wiſer hiſtorians than Lingard, writing after better uſe of the experience of two centuries, have ſeen to be verily and ſimply true. Out of the opportunities then loſt iſſued directly the Thirty Years' War. James's ſon-in-law required only hearty ſupport, in that critical hour, to have maintained

* No better witneſs to character is borne in hiſtory than that which this brave old primate draws from the inſtinctive diſlike that exiſted ever between him and the man who was to ſucceed him in his great office. "1610. The "Lord Chancellor Elſmere's complaint againſt me to the king at Xmas. "He was incited againſt me by Dr. Abbot, Lord Archbiſhop of Canterbury "elect." *Diary* of Laud—who was at that time ſlowly but ſurely creeping up, by help of Carr, into the power and favour which Villiers confirmed and extended to him. It was not in the open and courageous temper of Abbot to be tolerant of a nature ſo oppoſed to his own, and it is, I repeat, among the worthieſt tributes to his character that the favourite of the two court favourites, Somerſet and Buckingham, always knew him for his enemy. "1611. The Archbiſhop of Canterbury was the original cauſe of all my "troubles." *Diary.*

his crown, to have broken the power of the houſe of Auſtria in Eaſtern Europe, and to have barred the progreſs of Roman-catholiciſm for ever.* Our ſtriking in, continued the wiſe archbiſhop, "will comfort the Bohe-"mians, and bring in the Dutch and Dane, and Hun-"gary will run the ſame fortune. As for money and "means, let us truſt God and the Parliament, as the "old and honorable way of raiſing money. This from "my bed, September 12th, 1619; and when I can ſtand, "I will do better ſervice." †

Alas for the poor old king, not capable of ſervice ſo noble; who thought it peſtilent hereſy againſt divine-right doctrine, that ſubjects ſhould depoſe their ſovereign for a difference in religion; and from whom all the enthuſiaſm of his people could only win grudging conſent to the diſpatch of a volunteer force of four or five thouſand men, which he left expoſed and unſupported to the attack of overwhelming numbers. He would not acknowledge the kingſhip of the elector, or permit intervention, even then, except ſolely for protection of the Palatinate; and while the braveſt youths of the firſt Engliſh families were flinging away their lives in the quarrel ſo ardently embraced, fighting againſt fearful odds in both Palatinates, the fooliſh king was hugging himſelf with delight over his dearly-loved Spaniſh match, which was to bring priceleſs bags of gold into the royal treaſury, and Gondomar, ſecretly inſtructed againſt the match, and incomparably the ableſt as he was the moſt unſcrupulous diplomatiſt of the time, was egregiouſly out-witting him.

Never had the Stuarts any other ſuch chance as of leading that army of the Proteſtant Union. It was the tide in their affairs they then miſſed for ever, and only ſhallows and ſhipwreck remained for them. While they

* Theſe are almoſt the very words employed by Ranke (*Hiſt. of the Popes*).

† *Cabala* i. 12. Neal's *Hiſt. of Puritans*, ii. 108, ed. 1822.

were going one way, the people they would have governed were going the exact oppoſite way, and ſoon or late the breach could not but be irreparable. But as yet there was hope; and the people were eager for any chance to retrieve the loſſes lately undergone. The king himſelf had not been able to ſee unmoved his daughter and her huſband driven as beggars from their homes, and he would certainly have got them back the Palatinate if coaxing or wheedling might have done it. He tried embaſſies; he tried grants of money; and with ſuch willingneſs had all men contributed to even a hateful benevolence having that for its excuſe, that he reſolved finally to try a parliament. A ſhout of pleaſure roſe at that intelligence, and excitement and expectation were univerſal. Strangers crowded up to London, the ſtreets became thronged with people, and the belief everywhere prevailed that a blow was yet to be ſtruck for the good cauſe.

Simonds D'Ewes, a ſhrewd, obſervant, quick-eyed youth of eighteen, was among that "greateſt concourſe " and throng of people that hath been ſeen," which, on a day of ill omen to the Stuart race, Tueſday the 30th January 1620-1, ſaw this parliament opened. He ſaw the king, amid magnificent attendance, ride down to the abbey, and obſerved him, as all the great ladies thronged the windows on his way, ſingle out for recognition only the mother and wife of Buckingham. He ſaw him nodding particularly to the Spaniſh ambaſſador Gondomar; and heard him, contrary to his uſual wont of bidding a "pox" or a "plague" ſeize ſuch as flocked to ſee him, crying out a "God bleſs ye! God bleſs ye!" to the crowds ſtanding thick and threefold on all ſides.* He had probably never ſeen the Engliſh people with ſuch expreſſion as they carried on their faces then. Sympathy and hope were there. There had not been a parliament

* *D'Ewes's Autobiography* ii. 215.

for nigh ſeven years, and what but a parliament could effectually help thoſe brave Proteſtant hearts over the ſea?

Alas that ſuch promiſe bore not its proper fruit! Nevertheleſs this convention, aſſembled amid cries of eager hope and gladneſs unheard in England ſince the great queen's time, ſucceeded in achieving reſults that made it memorable to ſucceeding generations, though it tranſacted not the ſpecial work which it moſt deſired to have done. It ſat from the opening of February until nearly the cloſe of May, and never before had the voice of the Engliſh people been made ſo audible to everyone, ſo terrible to many. To the hopes of the nation it had ſo far been able to reſpond as to give viſible form and preſſure to the national grievances and complaints. It had made itſelf, indeed, the Grand Inqueſt of England. Its ſubſidies could not ſave the Palatinate. In that direction it was powerleſs but by entreaty and prayer. But nothing that was fairly within its reach had been dropped from its enquiry; and, during the four months paſſed ſince it met, an intolerable weight of oppreſſion and fraud had been lifted from the land. Trade had been releaſed, juſtice purified, and the right to make offenders againſt the public reſponſible by impeachment reſcued from the ſleep of centuries. Hardly ſurpriſing was it, therefore, that notwithſtanding the one great diſappointment, the ſtill-ſurviving hope and irrepreſſible deſire of the people ſhould have made itſelf felt on the day of its adjournment, almoſt as vividly as at the day of its meeting.

On the previous morning the king had received from both houſes reaſons of urgency for preventing all export of ordnance from the kingdom until their reaſſembling, and for giving free liberty of trade at the outports; on which latter ſubject, as the commons were now about to ſeparate, ſome further queſtion aroſe, and ſeveral members had taken

occaſion ſharply to denounce abuſes at the outports connected with the farming of cuſtoms; when Sir James Perrot roſe.* The houſe had been very anxious, he ſaid, about his majeſty's cuſtoms, and proviſion for the farming thereof at the various ports; but One other port there was, not named, to which all muſt look as their ſureſt reſting-place when the merchandiſe, trade, and traffic of this life ſhould have an end, and for that it was more needful that proviſion ſhould be made. Let them remember the maintenance of true religion. (Interrupted for a time by the agitation on all ſides viſibly increaſing, the ſpeaker pauſed and then reſumed.) He pointed out the deſperate condition of affairs abroad; he referred to the king's princely and pious proteſtation at the opening of parliament; and he beſought the houſe that in God's cauſe and that of his majeſty's children they would declare themſelves ready, on their return to that place, to adventure their lives and eſtates, all that belonged to them or wherein they took intereſt, for maintenance of that ſacred cauſe and of his majeſty's royal iſſue. Let them place ſuch a declaration on record. Let each man be bound by ſolemn obligation to the performance of that promiſe. So would they diſcharge their duty to Heaven, facilitate the treaties his majeſty had in hand with foreign princes concerning this cauſe, and peradventure enable their king to relieve the diſtreſſed, to reſcue religion, to recover the patrimony of his daughter's children, and to perform his own princely promiſes. "Much joy was there at theſe words," ſays the old reporter, "and a general conſent;" where-

* He was the ſon of Elizabeth's Iriſh Deputy, and had inherited the capacity and energy of his father. Let me here at once remark that the parliamentary ſpeeches to be quoted in this and the next following ſection are drawn from a careful collation of journals, printed and in MS., with that moſt full and intereſting report, by a member of the houſe, publiſhed at Oxford in 1766 from the original MS. in the library of Queen's-college, and contained in the two volumes entitled *Proceedings and Debates of the Houſe of Commons in* 1620 *and* 1621. (Clarendon Preſs.)

upon Sir Robert Philips roſe to ſecond them with words yet more bold and plain. Treaties or no treaties, he ſaid, let them declare that if his majeſty ſhould not, by peace, obtain recovery of the Palatinate, and a ſettlement of true religion, at that hour ſo ſhaken, they all would undertake, on behalf of the ſeveral ſhires and places they ſerved for, to adventure in that enterpriſe their fortunes, their eſtates, their lives! As Philips reſumed his ſeat, the excitement had riſen to an extraordinary pitch; and it was amid "a general acclamation and waving of hats" that Sir Thomas Wentworth, the member for Yorkſhire, roſe to ſpeak after him.

Even at that ſupreme moment of national fervour and religious aſpiration ("I hope," Philips had taken occaſion to ſay, "every man of us hath prayed for direction "before coming hither this morning!") the thought of Wentworth, ſuppoſed at this time by all the hiſtorians to have been ſolely for the people, was entirely and excluſively for the king. "He moveth Mr. Speaker "with the whole houſe may preſent ſuch declaration to "the king's majeſty, and leave it with him as a teſtimony "of their duty." No, the houſe would not have it ſo. Not as a teſtimony of duty to the king, but as a pledge ſolemnly interchanged with each other, and entailing every perſonal ſacrifice needful for the national religion and the national honour, the declaration ſhould ſtand on record in their clerk's book until the time came to redeem it, and each member ſhould tranſcribe therefrom a copy for his own uſe. Whether or not it could be made grateful to his majeſty, was not then to be diſcuſſed; but hardly any pains was taken to ſuppreſs the hope that it might coerce him ultimately into war. "Rather this Declaration," cried Sir Edward Cecil and Sir Nathaniel Rich, as, after entry into the clerk's book, in befitting and noble language, it was read aloud by the Speaker, "rather this Declaration, than ten thouſand "men already on the march!"

So grandly, to the end, paſſed away that very memorable ſitting of parliament. "Joy and conſent," ſays the old reporter, "ſounded forth with the voices of "them all, withal lifting their hats in their hands, as "high as they could hold them, as a viſible teſtimony of "their unanimous conſent, in ſuch ſort that the like had "ſcarce ever been ſeen in parliament." Nothing then remained but that the Speaker ſhould pronounce the adjournment, when Sir Edward Coke aroſe, and deſiring the houſe to ſay after him, recited the Gunpowder-plot thankſgiving. Tears were in the old man's eyes, remarks a member who was preſent, as ſeveral hundred voices blended with him in the ſolemn utterance of thanks to Almighty God for that in all ages He had ſhown His power and mercy in the miraculous and gracious deliverance of His church, and in the protection of righteous and religious kings and ſtates profeſſing His holy and eternal truth, from the wicked conſpiracies and malicious practices of all the enemies thereof.

Acroſs the gulf of two hundred and forty years we can ſtill hear that prayer from the Engliſh commons, repreſentatives of the people their conſtituencies, but alſo ſervants of God their creator; and we can underſtand what tremendous ſignificance the fact carried with it for all who could read it truly.

Unhappily for the Engliſh court, as it then was, the fact poſſeſſed no ſignificance; and when, after a receſs of five months, parliament met again, the king and his miniſters were as far as ever from bravely aſking the people's repreſentatives to redeem that ſolemn pledge of the 4th of June to which ſubſequent events had given even additional impreſſiveneſs. The engagement to which practically the commons had bound themſelves, was, that if the king's noſtrum for peacefully recovering the Palatinate ſhould fail, they would cheerfully, on reaſſembling, give their lives and fortunes for that cauſe, and in a war for the true religion. But, alas! now that

they were again met, his majeſty had only to tell them that, all his bargaining by treaty having failed, he was yet as much as ever indiſpoſed to draw the ſword.

And what, meanwhile, were the events that had filled England more and more with indignation and ſorrow? The upper Palatinate had been conquered and ſeized by Spinola; and, in the lower Palatinate, ſtill overrun by his Spaniſh wolves, only the haſty levies of one of the free lances of Germany, Count Erneſt Mansfeldt, had ſaved from annihilation the ſmall and gallant band of Engliſhmen who volunteered to its defence under Sir Horace Vere. In Heidelberg, in Manheim, in Frankenthal, ſince the commons ſeparated on that 4th of June, the nobleſt Engliſh youths* had ſtood at bay againſt overwhelming numbers, and the ſuccour promiſed them had not been ſent. With war on all ſides raging, nobody had talked of peace but the Engliſh ambaſſadors, who had become the laughing-ſtock of Europe.† The very union of the German princes, as the poor unfortunate Palſgraf could not but reproach his father-in-law, had been relaxed and weakened by the lukewarmneſs of the Engliſh

* Sir Thomas (afterwards Lord) Fairfax, of Denton, grandfather of the parliamentary general, had two ſons, William and John, ſlain in this ſiege. Henry Lord Clifford, Wentworth's brother-in-law (afterwards Earl of Cumberland), ſaw them die, and told their father that it was not until "they had ſcorned to accept of the enemy's offer of ſafety, if they would "yield themſelves priſoners." Another paſſage of his letter is ſtriking. "The brave ſallies out of Frankenthal were ſo often made with ſucceſs by "them, as I think it is impoſſible for time to ſurvive the honourable "memory of them, as for tears to reſtore again to life the noble executioners "of them; for (with the loſs of fourſcore of our men) there were ſlain above "two thouſand of the braveſt Spaniards which Spinola left behind him in "the Palatinate."

† In Flanders they preſented in their comedies meſſengers bringing news that England was ready to ſend a hundred thouſand *ambaſſadors* to the aſſiſtance of the Palatinate. They depicted the king in one place with a ſcabbard without a ſword; in another place, with a ſword that nobody could draw, though divers perſons ſtood pulling at it. In Bruſſels they painted him with his empty pockets hanging out, and his purſe turned upſide down. In Antwerp the Queen of Bohemia figured as a poor Iriſh "mantler," with her hair hanging about her ears and her child at her back, her father carrying the cradle after her.

king; and now matters were arrived at ſuch a paſs, that, as Lord Digby told both houſes, "his majeſty *muſt* "either abandon his children, or begin and wage war." His majeſty nevertheleſs ſtill ingeminated peace, even in his very ſpeeches for ſupply. Give me, he ſaid, ſo much for the aid of Mansfeldt to enable him to ſtand his ground in the Palatinate; and ſo much more for another effort, by treaty, to avoid a religious war. The anſwer of the commons to both points gave back no uncertain ſound.

With what followed in detail, however, I have only concern here, in ſo far as it exhibits the juſt deteſtation of the Engliſh people at any intimate alliance with Spain, and explains the ecſtaſy of infinite relief with which they ſaw ſuch a project abandoned.

The keynote of the tone taken on the requeſt for ſupply was ſtruck by Sir Dudley Digges, who had lately added to his other accompliſhments ſome foreign experiences, and was now, with opinions yet indeciſive and doubting, lending his undoubted abilities to the country ſide. He was for a ſupply to maintain ſuch hold as was yet retained over the lower Palatinate, but with no hope of other good except from a war of diverſion, and no deſire to contribute further unleſs for that expreſs deſign. After him roſe Sir Benjamin Rudyard, who, though connected with the court by his office in the Wards, and earneſt for a preſent ſupply, ſpoke ſtill more hotly for religion "battered "abroad and mouldering here at home;" which would no more, he ſaid, be helped by treaties, but only by that which none there valued his ſoul at ſo low a price as to refuſe to give, fortune and life to maintain a war. Then came Sir Miles Fleetwood, for immediate help to the lower Palatinate, and for giving all that the king required; but to him ſucceeded Sir James Perrot, who, claiming eſpecially to be heard as having firſt moved the matter whereupon their declaration of June was made, declared his readineſs to vote any amount of ſupply

upon two conditions: of which the firſt was, that "what "we give, to have it diſpoſed to the end for which "given;" and the ſecond, that no end ſhould content them which ſtopped ſhort of war. He entered into ſome curious details. He would have them think what poſition they were in. Their religion called for help, and ſuch help they could render. The country was poor, but the kingdom was rich. The Eaſt India company had nigh two millions in bank in London, and the uſurers of the city had at leaſt more than a million. Trade was languiſhing, and the common people were lying under grievous burdens; but not the leſs in that great town was money extravagantly ſquandered, and it ſeemed as though the nobility and gentry reſorted thither to ſpend their eſtates on jewels and clothes, on toys and luxury. What would go far to the annual coſt of a reaſonable armed force, upwards of a hundred thouſand pounds, was yearly ſpent in tobacco. He would have ſuch a ſubſidy as might reſtrain that waſte, without obſtructing commerce; and, at once providing laws to ſecure themſelves againſt papiſts at home, he would have them let looſe war againſt popery abroad. Heretofore they had done many noble actions. They had vanquiſhed France, they had ſupported the Netherlands, they had ſupplanted Wales, they had affronted and reſiſted Spain; and not to ſhow themſelves now for defence of religion and recovery of the Palatinate, would be a diſhonour to their hiſtory and fame.

Amid the excitement created by this ſpeech Sir Edward Sackville roſe. He was a man whom all regarded with intereſt. Supreme in beauty of perſon and ſeductiveneſs of manner, grandſon to queen Elizabeth's Sackville of Buckhurſt, he was one who had travelled and fought in many lands, and the ſame who had that deſperate duel, ſeven years ago, with young Lord Bruce of Kinloſs in the wet green meadows between Antwerp and Bergen ap Zoom. Since June he had been himſelf in

the Palatinate, had talked with Mansfeldt and Vere, and could ſay, without ſuſpicion of court diſlikes or puritan prepoſſeſſions, how matters were faring there. Very brief, but ſtriking, was the language he employed. The paſſing-bell, he ſaid, was now tolling for religion: but as for one dying, not yet dead. Hope for recovery exiſting ſtill, let them but conſider only of two things, what to do, and what *not* to talk about. Let them vote ſupply; leſs than the Lord Treaſurer had aſked, but enough for the ſafety of the troops of Vere and Mansfeldt; and let them diſcourſe of nothing elſe till that was effected.

Theſe ſhort ſentences, ringing ſolemnly out upon the houſe like the paſſing-bell they ſpoke of, had produced an effect of which the great ſpeaker who followed knew how to avail himſelf. Sir Robert Philips was againſt any preſent ſubſidy. Let them raiſe the needful ſupply for the Palatinate by other means, and delay further ſubſidy till they ſhould meet again as promiſed. Could the houſe doubt, after what they heard, wherein they had moſt ſuffered? Reputation and honour were great advancers of great deſigns, and he doubted if any honour remained to their nation abroad. God added a crown to the crown of England. God took it away. The crown might have been kept on the Palatine's head with as good right as other Chriſtian kings enjoyed their crowns by, and with as little coſt as it would now take to keep what remained of their own in the Palatinate. In a war for religion lay their only ſafety. He ſaw not what was to be done by war for the Palatinate alone. And let them in any caſe firſt ſecure themſelves at home. There could be no ſecurity while the papiſts, only half ſubjects of the crown, increaſed ſo much in numbers and confidence. Spain had their hearts, and how could they be loyal ſubjects? Let the houſe be warned. They had grown inſolent, and diſputed of their religion boldly, and talked of the Proteſtant *faction*! Let timely

means be taken to avert this great danger, not leaving it to the chances of a late improvident repentance. Let them, by contribution, ſupply enough to maintain Mansfeldt and Vere; and at their next meeting, by all needful ſubſidies, let them prepare for a thorough war. Yes, cried Sir Edward Giles, Eliot's countryman and friend, taking up the note at the pitch whereto the laſt great ſpeaker had raiſed it; yes, and to make a thorough war we muſt do as the great queen did, not only defend but enrich ourſelves. Elizabeth ſought the Spaniard at home, and found out his Indies. Do you the like. Guard, too, againſt popery among yourſelves, for now it is brave and daring everywhere; and attempt no more by treaty, unleſs with drawn ſwords in your hands!

In the ſame bold outſpoken ſtrain, taking up the argument of Philips, and producing ſcarcely leſs effect, ſucceeded the wiſe and honeſt lawyer Crewe. He was againſt any preſent giving. Before even declaring himſelf for war, he deſired firſt to know againſt whom they were to fight; and he was not for fighting with a treaty in one hand and a ſword in the other. Ever was more loſt by the treaty than was gained by the ſword. Let them not give now, but firſt know their enemy. He warned them that if they did not bend their forces againſt *the Spaniard*, nothing would be gained. It was he who ſupplied the means for the war now raging; it was he from whom all evil counſel had come; it was his encouragement that made popery in England ſo common and ſo bold. They muſt give good laws before they impoſed freſh burdens, and they muſt protect themſelves againſt domeſtic as well as foreign foes. There could be no halting between two religions. Let the kingdom be cleared of jeſuits. Let the only walls built around them be their ſhips. Let them but have hope their prince would be matched to one of their own religion. Then let them give willingly and largely, *celeri et plenâ manu!*

II. Protest of the Commons of England.

The madneſs of the court in perſiſting, againſt ſuch a ſpirit as this in the leaders of the nation, with the ſcheme for intermarriage of the prince of Wales with the Spaniſh infanta, ſeems almoſt incredible. Though it had long been rumoured and talked about, no one out of the court believed it to be poſſible. But nothing could move the king from what he conceived to be his maſterpiece of kingcraft, to outwit France by ſo powerful an alliance, to get back the Palatinate without a war, and ſo to fill his treaſury with the dollars and doubloons of Spain, ſo to gather up ſome part of her accumulations of Weſtern ore and of Eaſtern ſpices, as to have no more need of a parliament at Weſtminſter for many a day! Thus, while yet the commons were diſcuſſing conditions and amount of ſupply, the long talked-of and univerſally diſcredited match had come again in queſtion, and the alluſion of Crewe ſupplied all that was needed to ſet the houſe aflame.

The very ſpectacle of power and greatneſs at this time preſented by Spain, and which had dazed and bewildered the poor old Engliſh king, was preciſely the ſecret of the reſiſtance made to her, and to the principle of evil ſhe was believed to repreſent, by the brave and gallant men who repreſented the Engliſh people. The people themſelves ſtill remembered for whom their favourite Raleigh had been ſacrificed, and ſtill awfully regarded her power as the ſource of every poſſible diſaſter. Though the great queen had dealt her ſome heavy blows, and foreign conqueſt had begun to make ravage upon her both weſtward and eaſtward, ſhe was ſtill the empire largeſt in extent, and apparently exhauſtleſs in wealth, exiſting on the earth. The more need there was that the truth ſhould be told of her, and that it ſhould be admitted plainly who it was that occupied

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that throne, outſhining indeed the wealth of Ormuz or of Ind, but aſſociated with as much arrogance, ſin, perſecution, and darkneſs, as had ever made war againſt the Moſt High.

When the king's ſecretary, Calvert, backed by his colleague in the repreſentation of Yorkſhire, Sir Thomas Wentworth, had done all that ſeemed poſſible to allay the ſtorm, Sir Edward Coke aroſe. His breach with the court was at this time complete, and his ſervice to the commons had won for him, during the receſs, a proſecution inſtigated and ſupported by the party of the favourite. After broadly avowing himſelf of the opinion of Sir Robert Philips, that more ſhould be known before anything was given, he proceeded to launch out into a ſeries of the moſt fierce invectives againſt Spain. He detailed her cruelties and her treacheries, her ſecret conſpiracies and aſſaſſinations, her incurable falſehood and bad faith. It was Spain who had prompted a long ſucceſſion of attempts on the life of their great Elizabeth; who ſent Lopez, a Spaniard, to read to her in philoſophy, and to poiſon her while he read; who bribed ſervants in her ſtables to place poiſon on the pommel of her ſaddle, ſo that, laying her hand thereon, ſhe might periſh; and who, thirty-three years ago, while her commiſſioners were in Madrid treating of peace, ſent hither the Grand Armada. Could anything good come out of that land? Was not the firſt rot, or ſcab, that came among Engliſh ſheep, brought by one out of Spain; and did not of all diſeaſes the moſt loathſome come firſt out of Naples, one of the dominions of the Spaniſh king? Let them take timely warning, then, that never came there hither anything from Spain that did not either damage us or endeavour it!

So ſpoke the reſolute old lawyer, acceſſible no longer to either hope or fear; and his ſpeech, of which theſe are but the moſt diſtant hints, was long and bitterly remembered. There was hardly a man in the houſe, ex-

cluding the miniſters and their friends, among whom muſt be reckoned Wentworth, whoſe heart did not leap to that ſcathing denunciation of the powerful enemy of his country and his faith. Never yet had been levelled ſo daring an aſſault on the darling project of the king; and in the temper excited by it, Philips roſe and carried a propoſal to refer the whole ſubject of ſupply to committee, which ſhould be inſtructed to include in their report as well religion as ſupply. A general ſhout of aſſent aroſe. So we did in the great queen's time. So, in 27th Elizabeth, when the ſovereignty of the Low Countries was offered her, we debated it in committee. So, when the Low Countries aſked for aid, it was debated here. It is good to follow ancient precedents in ſuch weighty cauſes and buſineſſes. Thus therefore it was determined; and two days had not paſſed when the committee brought in their report.

It was read amid great excitement. It declared the recent dangerous increaſe of popery in the kingdom, and its cauſes; it ſet forth the objects of the Pope and of his deareſt ſon, the King of Spain, as in the one caſe a ſpiritual ſupremacy, and in the other a temporal monarchy, over the whole of the earth; it deſcribed theſe two powers, nevertheleſs, as claiming and obtaining the allegiance of Roman-catholics in England; it pointed out the hopes that had been raiſed upon the diſaſters of the Palatinate, and the uſes made of them; and it aſſerted that the Engliſh Roman-catholic party, ſo encouraged, and further exulting in the report of an intended marriage between the prince of Wales and the Spaniſh infanta, were now reſorting in crowds to maſs in the chapels of foreign ambaſſadors, were ſending their children to foreign parts to be educated in a faith alien to that of England, and were permitted everywhere to compound for forfeiture on eaſy terms. It then, in wiſe and well-meaſured words, proceeded to juſtify, for defence of religion and the ſtate, the repreſſive meaſures it

demanded. The Popiſh religion, it declared, was incompatible with Proteſtantiſm and with Freedom. It drew with it unavoidable dependency on foreign princes.* Its reſtleſs ſpirit admitted no equality. If it once got a connivancy, it would preſs for a toleration. If it obtained toleration, it would inſiſt upon equality. If equality were achieved, it would aſpire to ſuperiority; and never would it reſt till it could trample on the true religion. Wherefore was his majeſty adjured, by the glory of God, whoſe cauſe it was; by the zeal of right religion, in which the members of that houſe had been born, and by God's grace were reſolved to die; by the ſafety of his royal perſon, which was the life of his people; by the happineſs of his children and poſterity, and the honour and welfare of his church and ſtate — now, ſpeedily and effectually, to take the ſword into his hand; to reunite the princes and ſtates of the union, weakened and broken by his falling off; to bend the ſtrength of war, and turn the point of his ſword, directly againſt the king of Spain; to fruſtrate evil hopes, and ſecure ſucceeding ages, by marrying his ſon timely and happily to one of his own religion; to give order for the Engliſh education of Engliſh children; and to preſs all due and neceſſary forfeitures. Which done, that houſe, by their daily, hearty, and devout prayers to the Almighty, the great King of kings, would contend for a bleſſing on his majeſty's endeavours, and for his long and happy reign, and for that of his children's children after him, for many and many generations. In fine, the ſubſidy was offered, as voted conditionally.

No debate immediately followed. When the Speaker,

* It is extraordinary with what vividneſs each incident of the Low Country campaigns of thirty-five years ago appears impreſſed on the minds and hearts of this ſucceeding generation. The ſurrender, by Engliſh Roman-catholic gentlemen, of Deventer and Fort Zutphen, was appealed to frequently as the very type of Popiſh dependence and untruſtworthineſs; not with anger againſt the Stanleys and Yorks, ſo much as with horror at a religious ſyſtem incompatible with loyalty, nationality, and freedom.

who had read this remarkable paper ſtanding, reſumed his ſeat, the chancellor of the duchy, Sir Humphrey May, not affecting to conceal his amazement at language "of ſo high and tranſcendant a nature as he never "knew the like within the compaſs of thoſe walls," moved to ſuſpend further diſcuſſion till the next day; when the courtiers and privy councillors, who ſaw the ſtorm that muſt ariſe if the clauſe againſt the prince's marriage were perſiſted in, attended in as great force as they could muſter, and roſe in ſucceſſion to call attention to the danger implied in ſuch a claim, ſince no treaties could begin from that houſe. The danger was doubtleſs great, ſaid Sir James Perrot, but far more imminent the peril of ſuch a marriage. Let them reflect on what was too often witneſſed in private families where man and wife were of contrary religions. And he inſtanced a caſe that had juſt occurred at Acton, where a recuſant wife had with her own hands murdered two of her children rather than that her huſband ſhould train them up in a religion different from her own. On the other hand, Vane, Wentworth, and others urged the danger of graſping at more than they had any chance of holding faſt; to which Crewe with great ſpirit replied that they were aſſuming no authority or intereſt to which they had not juſt and irrefragable title as the Engliſh commons, whoſe bounden duty it was humbly to ſhow, by petition, whatever might be prejudicial to the king and the ſtate. For his own part, he added, as with forecaſt of all the miſery that awaited the family on the throne through "many and many" generations from one fatal obſtinacy, he wondered to ſee the ſpiritual madneſs of ſuch as *would* fall in love with the Romiſh harlot, now ſhe was grown ſo old a hag.

Everything meanwhile had been told to the iraſcible old monarch. A copy of the report had been privately laid before him at Theobalds, and in a towering rage he had indited thoſe letters to ſecretary Calvert, which

warned the houſe of commons againſt further meddling with his myſteries of government; which declared not alone his belief that he had the right, but his determination to exerciſe the power, of puniſhing every man's miſdemeanour in parliament as well during their ſitting as after; which rebuked them for their foul-mouthed oratory againſt the king of Spain; and declared himſelf a king too old and experienced to allow of their claiming as their ancient and undoubted inheritance and right, privileges that had been derived ſolely from the grace and permiſſion of his kingly anceſtors and himſelf.

Theſe letters, it hardly needs to ſay, led to the memorable Proteſtation of Tueſday night the 18th December 1621, entered on the journals as of record, and torn therefrom by the king's own hand, but remaining nevertheleſs among thoſe moſt indelible of all records, never to be defaced or deſtroyed, which are the ſecurities and title-deeds of Engliſh freedom.

The days when this Proteſt was debated, Saturday, Monday, and Tueſday, the 15th, 17th, and 18th of December, were remarkable for one of the ſevereſt froſts ever known in London. "Such heat within," wrote an old courtier to Weſton, "and the Thames impaſſable "without for froſt and ſnow." Yet was the heat tempered by a ſettled and ſolemn reſolve. Another of the courtiers informed Sir Dudley Carleton that on the day when the king's letters were read, "letters of a kind that never "ſovereign in England had writ before," ſuch was the houſe's reception thereof that they deferred immediate diſcuſſion and betook themſelves to prayer. The fact is named with no accompaniment of wonder or deriſion. No man, however ſtrong might be his ſympathies with the court, for a moment doubted that the ſtruggle with it now begun, and not again to cloſe until reſolved for ever, was baſed upon convictions of the very eſſence of life itſelf, irremovable as its higheſt purpoſes here, and indeſtructible as its hopes hereafter.

All ordinary buſineſs was laid aſide. It will be ill news for our conſtituents, ſaid Wentworth, if we take no bills into the country with us. We ſhall not carry good news into the country, retorted Philips, if we tell them we have brought them bills, but have loſt them our liberties and privileges. Bills are an accident of well-being, but privilege is of the eſſence of being. That upright old Corniſhman, the moſt intimate of Eliot's friends, Sir Edward Giles, wrung his hands for very pity of what he foreſaw in the future. Never ſo loyal a parliament as this, he exclaimed; but the honeſter men, the worſe luck! Sure the end of the great enemy is near, he ſo much rageth and laboureth to croſs our righteous purpoſes. Then interpoſed Sir Francis Seymour. It became them for the preſent to be ſilent as to matters they had in hand. Let them decline diſputing further of the match, and of religion and war. Yet would he have it expreſſed and put on record, that conſideration of the religion of the kingdom, and of whatever might affect the ſafety of his majeſty's perſon, the good of his ſubjects, and the welfare of his children, was not matter out of the cognizance of that houſe. The bills they could now paſs were not worth their labour. But it was their duty to take at once ſome courſe to ſettle their privileges, ſo that they ſhould leave them not worſe than they found them when they entered thoſe walls. The ſuggeſtion was put in more diſtinct form by Philips. Since, he remarked, his majeſty hath ſaid we hold our privileges by the grace of princes, and not by a right deſcended to us, it was indeed rendered neceſſary that they ſhould expreſſly declare their powers. And in ſo doing they would do no more than was diſputed of in the firſt parliament of his majeſty, when the king ſaid that they held their liberties by a toleration, not by right; whereupon there was entered a public declaration that they held them by inheritance from their anceſtors. He would have that courſe taken now.

But extraordinary as was the feeling diſplayed, the houſe had not riſen to the height of its argument until after Crewe had ſpoken. And happily, even in the fragment preſerved to us, grandeur of ſentiment, and matchleſs force of language, are ſufficiently diſcernible to account for the profound emotion excited by this admirable ſpeaker. As they owed to the king, he ſaid, their duty, their lives, and all they poſſeſſed, ſo did they owe it to poſterity to hand down unimpaired the liberties and privileges of that houſe. It could not but be a great grief to them to hear ſo wiſe a king to doubt the right of thoſe privileges, and that he would have them ſtyled a liberty derived by the permiſſion of princes. This did ſtir all their hearts. Magna Charta had renewed, confirmed, and eſtabliſhed unto all, peers, barons, gentry, and commonalty of the kingdom, as well their liberties, rights, and privileges, as their lands and poſſeſſions; and if, by that great charter, itſelf thirty times confirmed, the laws were declared a birthright and inheritance, as all knew they were, then much more thoſe privileges and liberties of parliament that had given to laws their force and efficacy. This was felt by them all. Nay, this was of that importance to them, that if they ſhould yield their liberties to be but of grace, thoſe walls, that had known the holding them thus many years, would bluſh!

And ſo, while the bitter weather raged without, theſe great-hearted men, moved to the noble warmth that accompanies all high actions, adopted by acclamation the Proteſt which declared—

> *That the liberties, franchiſes, privileges, and juriſdictions of Parliament, are the ancient and undoubted birthright and inheritance of the ſubjects of England; and that the arduous and urgent affairs concerning the King, State, and defence of the realm, and of the Church of England, and the*

making and maintenance of laws, and redreſs of miſchiefs and grievances which daily happen within this realm, are proper ſubjects and matter of counſel and debate in parliament; and that, in the handling and proceeding of thoſe buſineſſes, every member of the houſe hath, and of right ought to have, freedom of ſpeech, to propound, treat, reaſon, and bring to concluſion the ſame; that the Commons in Parliament have like liberty and freedom to treat of thoſe matters in ſuch order as in their judgment ſhall ſeem fitteſt; and that every ſuch member of the ſaid houſe hath like freedom from all impeachment, impriſonment, and moleſtation (other than by the cenſure of the Houſe itſelf), for or concerning any bill, ſpeaking, reaſoning, or declaring of any matter or matters, touching the parliament or parliament buſineſs; and that if any of the ſaid members be complained of and queſtioned for anything ſaid or done in parliament, the ſame is to be ſhown to the King, by the advice and aſſent of all the Commons aſſembled in parliament, before the King gives credence to any private information.

They had ſat long paſt their uſual time on this wintry December evening, but every ſuggeſtion for adjournment had been reſiſted on the ground that the king might prevent their re-aſſembling, and ſo diſable them from making formal record of their Proteſtation. Once upon the journals, they knew that it was there for ever, though the page containing it might be torn and ſcattered to the winds. And ſo, "Mr. Speaker in the chair, "it was ordered by queſtion to be entered forthwith in "the Book of the Houſe, and there to remain as of re-"cord. And accordingly it was here entered, ſitting the "houſe, between 5 and 6 of the clock at night, by "candle-light."

What followed is of ſmall importance except to ſhow

the frantic and impotent anger of the paſſionate old king. He came up in his coach from Theobalds, got together a privy council and ſix of the judges who happened to be in town, ſent for the commons' journal, tore out the Proteſt, ordered regiſtry to be made of the act, diſſolved the parliament by proclamation, and wound up the labours of the day by tumbling off his horſe into the New River, "where the ice brake, ſo that nothing but his "boots were ſeene." * He was pulled out by Sir Richard Yong, got into a warm bed with diſpatch, and nothing ſerious came of it.

It was ſomething more ſerious, however, and not of accident but deſign, which befell the leaders of the parliament that day in reward of their honeſty and courage. The caſe of one was that of all; and, from a written appeal made by the brother of Sir Robert Philips ſome ſix months afterwards, an idea may be formed of the penalties that then awaited a repreſentative of the people who braved the anger of the court. Sir Robert had hardly retired himſelf, ſays his brother Francis, to his poor houſe in the country, with hope awhile to breathe after his labours in parliament, and ſtill breathing nothing but his majeſty's ſervice, when, before he had finiſhed his Chriſtmas, he was arreſted by a ſergeant-at-arms in his own houſe, with as much terror as belongs to the apprehending of treaſon itſelf, was brought up a priſoner, preſented as a delinquent at the council-table, and committed to the Tower. There he had ſince been kept, with every circumſtance of harſhneſs, in cloſe and ſolitary

* Harl. MSS. 389. I quote the letter: "The parliament was, on Wed-"neſday, cleane diſſolved by proclamation. The ſame day his Ma^ie "rode by coach to Theobalds to dinner, not intending, as the ſpeech is, to "returne till towards Eaſter. After dinner, ryding on horſeback abroad, his "horſe ſtumbled and caſt his Ma^ie into the New River, where the ice "brake: he fell in, ſo that nothing but his boots were ſeene. Sir Richard "Yong was next, who alighted, went into the water, and lifted him out. "There came much water out of his mouth and bodie. His Ma^ie rode "back to Theobalds, went into a warme bed, and, as we heare, is well, which "God continue!"

confinement. Even his wife and his brother had been refuſed acceſs to him. And now, after five months of that living death, their humble petition was, if he muſt ſtill remain within the walls of bondage to expiate what he had done in thoſe privileged walls,* that his majeſty might at leaſt be pleaſed to mitigate the rigour of his captivity ſo far as to grant him the liberty of the Tower. "Yet not ours," concluded the petition, "but your "majeſty's will be done." †

His majeſty's will was, that ſo Sir Robert Philips ſhould remain, and that ſuch alſo ſhould be the reward of Coke, Pym, and others, until the ninth month of their monſtrous captivity; when a general releaſe of popiſh recuſants to propitiate Spain, and the forecaſt of another parliament, rendered further reſtraint of the Proteſtant champions dangerous to its cowardly perpetrators. Even then full freedom was not given, but conditions within certain diſtances were impoſed. The hardly more merciful fate had meanwhile befallen Crewe, Sir Dudley Digges, and Sir James Perrot, of being diſpatched on forced miſſions into Ireland. And now, parliament being got rid of, and what his majeſty called its "fiery popular and tur- "bulent ſpirits" duly puniſhed, it was hoped that the Spaniſh match might go uninterruptedly forward.

III. Spanish Match and Journey.

Everything at laſt ſeemed to promiſe ſucceſs. Whether the Spaniſh court at firſt were really in earneſt, may be

* The houſe of commons.

† State Paper Office. MS. April 12, 1622. The petition is printed imperfectly in the *Cabala*. Three months later, it appears from a letter in the ſame collection (S. P. O. July 1622), Sir Robert Philips was ſtill cloſe priſoner; and at that date only had Sir Edward Coke's eldeſt ſon and his daughter been at length permitted to ſee their father after his long impriſonment. The priſoners were releaſed from the Tower, but confined within diſtances, in the middle of Auguſt; a few days after the Lord Keeper's letters to the judges, and the iſſue of his pardons under the great ſeal, for numbers of popiſh and jeſuit recuſants. S. P. O. MS. August 2, 1622.

doubtful; but there was a point in the negotiation when they had gone too far to recede, if faith had been kept with them. It was quite true that Olivarez and Gondomar tried every poſſible artifice to ſecure larger indulgence for popery in England, to evade any direct pledge for reſtoration of the Palatinate, and to obtain even ſuch an engagement for modified acknowledgment of the papal authority as might favour the hope of the prince's entire converſion; but all theſe matters had been handled and made the ſubject of reciprocal conceſſion and compromiſe, nor was there any cauſe to doubt that the Engliſh ambaſſador in Spain, Digby, lately of ſpecial favour made Earl of Briſtol, had brought the affair to a direct and intelligible iſſue, when the jealouſy of Buckingham ſtruck in.

Briſtol afterwards aſſerted that the prince's ſecret journey to Madrid had been deviſed between Buckingham and Gondomar, but Buckingham declared the project to have been his own; and in its coxcombry and abſurdity it was worthy of him. In reality, however, the notion ſeems to have been Gondomar's, who believed that, with poſſeſſion of the perſon of the prince, Spain might more eaſily get poſſeſſion of his religion; and Buckingham had a deeper motive than either vanity or caprice for his headlong eagerneſs in embracing the ſcheme. There can be no doubt that Briſtol's ſucceſs in an affair ſo dear to the king had been wormwood to the favourite, and that his preſent hope was, even in the very inſtant of the victory underſtood to have been achieved by another, to bear off the prize for himſelf.

The king reſiſted the propoſal for ſome time, and if Clarendon's elaborate account,* given from a principal actor in the affair, Sir Francis Cottington, be correct, it is the moſt ſtriking proof on record of the deſpotic ſway of Buckingham over both father and ſon. After much

* See *Hiſt. of Rebellion* i. 17–35. (Ed. 1839.)

bitter crying, baby Charles is at laſt given over to dog Steenie, who then dries the eyes of his dear dad and goſſip, and ſoon makes him merry again with the thought of how the dear dad himſelf, and his father, and his grandfather, had all gone gallantly from Scotland over ſeas to fetch home their wives.* Whereupon baby and dog become ſweeter boys than ever, and indeed nothing leſs than dear venturous knights, worthy to be put in a new romanſo. And even ſo, Charles and Buckingham, travelling as Mr. John and Mr. Thomas Smith, each with a buſhy black wig, and attended only by Francis Cottington and Endymion Porter, ſet off upon their ill-omened journey, maſked and diſguiſed from the Engliſh people.† It is certain that Briſtol had received no communication from either when, at the duſk of a February evening, the Meſſrs. Smith were announced to him as viſitors at his houſe in Madrid.‡

* S. P. O. MS. Calvert to Carleton. 27th Feb. 1622-3. For ſpecimens of the extraordinary ſtyle interchanged between the king and his ſweet boys, see *Hardwicke*, i. 448—451. "I your baby will not let your "dog trouble himſelf with writing," the prince begins one of his letters when the favourite is ſlightly indiſpoſed. "My thoughts are only bent," writes the favourite, when they have been abſent a little while, "on having my "dear dad and maſter's legs ſoon in my arms." In another letter he declares, that when once he gets hold of the king's bed-poſt again, he means never to quit it!

† "1622-3. Feb. 17, Monday, the Prince and the Marquis Bucking- "ham ſet forward very ſecretly for Spain." "Feb. 21. I wrote to my Lord "of Buckingham into Spain." "1623. March 31. I received letters "from my Lord of Buckingham out of Spain." "April 9. I received "letters from my Lord of Buckingham out of Spain." "June 13. I received "letters from the Duke of Buckingham out of Spain." "Aug. 17. I "received letters from the Duke of Buckingham out of Spain." *Diary* of Laud, who, now created at Buckingham's inſtance king's chaplain, biſhop of St. David's, and commiſſioner of grievances, played the part of jackall and court-ſpy over court doings, in the favourite's abſence. While Abbot was ſuſtaining the religious ſpirit of the people with a manly fervour worthy of their own, Laud was ſpeculating on what it could poſſibly portend, that, on the evening of St. Swithin's day, the lanthorn at St. James's houſe ſhould have been blaſted by a ſtorm of thunder and lightning, and the vane bearing the prince's arms beaten to pieces!

‡ With what inſtant miſgiving of the iſſue Briſtol muſt have received his unwelcome viſitors, appears in a letter of Chamberlain to Carleton with the date of the 5th April. "In the midſt of all this jollity I hear the Lord

Everything at firſt went ſwimmingly. The magnificence of the welcome exceeded belief. Proceſſions, banquets, tiltings, ceremonials, made gorgeous the nights and the days. The dad and goſſip at home was out of his wits with joy. He ſuperſeded Briſtol's embaſſy by making Buckingham ambaſſador-extraordinary, and ſent him over a patent of dukedom to put him on a level with the higheſt in Spain. Money and jewels for the travellers to keep royal ſtate, were collected by deſperate devices; and orders were iſſued for a fleet to be in readineſs to fetch the bride. The firſt letters from the prince and duke had indeed thrown a little change of vexation over the old king's delight. He was aſked by his dear boys, point-blank, how far he would acknowledge the Pope's ſupremacy; to which he had to make anſwer by fuſſily quoting his own book againſt Bellarmine, by repeating his offer therein to call the Pope chief biſhop if he would but lay down the power of depoſing and excommunicating, and by telling his baby and his dog that he was not going to ſhift his religion as eaſily as a monſieur after coming from tennis might ſhift his ſhirt.* But he made up for this prudery by giving two prepoſterous pledges; firſt, to keep ſecret from the council all that was writ to him from Spain, and next, to perform whatever the prince there promiſed in his name! Under his direction, at the ſame time, pardons for recuſancy were iſſued by Williams under the great ſeal to all papiſts and jeſuits that ſhould apply for them within five years;† and

"Digby [Briſtol] writes that, as he pretends no private benefit to himſelf "in the good ſucceſs of this buſineſs, ſo he deſires he may be blameleſs, if, "by reaſon of the prince's coming, matters fall not out according to expecta-"tion. Here is a whiſpering underhand of no good intelligence 'twixt "him and the Lord of Buckingham which may ariſe upon divers reaſons." Harl. MSS. Birch Tranſcripts.

* See theſe letters in *Hardwicke Papers*, ii. 402-411.

† "Yet," writes Williams to the prince, "in the relaxation of the Roman-"catholic penalties, I keep off the king from appearing in it as much as I "can, and take all upon myſelf, as I believe every ſervant of his ought to "do in ſuch negotiations, the events whereof be hazardous and uncertain."

the judges on the circuits were inſtructed by the Lord Keeper to diſcharge from priſon every popiſh defaulter willing to give ſecurity for ſubſequent appearance. Promiſes of a yet larger kind for grace and favour to Roman-catholics were alſo privately given; and meanwhile, practically, the penal laws were ſuſpended, and the popiſh worſhip permitted in private houſes.

The council afterwards ſought to evade reſponſibility for theſe acts, but in effect, there is no doubt, their ſanction had been obtained to them. Probably they were not told of the ſuggeſted recognition of the Pope, or made acquainted with the belief entertained by Buckingham (the meaſure of his further belief in his own extravagant and unbounded power) that he could force ſuch a meaſure on the Engliſh people; but it was no ſecret from them, or indeed from anyone, that the prince's appearance in Madrid had let looſe ſuch hopes among the Roman-catholics, at home and abroad, as had not found full expreſſion or indulgence ſince the great queen's acceſſion, and that to a letter from the reigning pope (Gregory XV) to the prince, regretting the altered ſtate of Britain, eager to diſcover no indiſpoſition to the Roman ſee in his purſuit of a Roman-catholic princeſs, calling him the flower of the Chriſtian world, expreſſing hopes for his converſion and that he would prove "enfranchiſer" of his country, the prince had replied, aſſuring his holineſs that he had no deſign againſt the Roman see, but that his wiſh was to ſee a reunion of the churches and to baniſh ſtrife from the Chriſtian world, with a diſtinct and grave promiſe that he would himſelf abſtain from every act of hoſtility to the Roman-catholic faith. "This by your favour is more than a compliment," ſaid Clarendon to Nicholas when he read the letter.* So

* *Clarendon St. Papers* ii. 337. See the letter in *Ruſhworth* i. 78–83, and *Hardwicke's State Papers* i. 452–3. That it was "more than a compli-"ment" might well be ſaid of it. Authentic copies in Latin and Engliſh of both letters are in the ſtate paper office, under the dates reſpectively of the 10th April and the 18th June 1623.

had thought Sir Thomas Wentworth of Yorkſhire; but meanwhile his kinſman and friend Sir Edward Conway, the newly appointed ſecretary of ſtate, had been ſending him brilliant accounts of the proceedings in Madrid. The reception, like the viſit, had been unexampled. There was no doubt now in the affair. The prince's houſehold jewels, apparel, and robes for St. George's day, were gone. The duke had ſent over his horſes, tilting armour, and capariſons. The diſpenſation was on its way. The fleet was getting ready. Ten ſhips would ſet out by the end of April, and by the end of May would be back with their precious charge. Don't believe anything you hear to the contrary, wrote the confident ſecretary of ſtate. None now but the deſperately envious, or vile almanack-makers arguing from conjunction of planets, talk of any delay!*

Among the deſperately envious and the vile, then, were to be reckoned the Engliſh people; for the bulk of the nation abſolutely refuſed to believe that this unholy compact would be completed. Now was the prophecy of the dying Raleigh to be fulfilled. The court were not to have it all their own way. The ſeeds ſown by the murder of that great Engliſhman, and by the eloquent utterances of the parliament ſo rudely diſſolved, were ſpringing up daily in terrible diſcontents. It was to no purpoſe that all the bells of London had been ſet ringing on receipt of the firſt letters from Spain; it was in vain that the conſtables in charge of the various wards had been ordered to ſee bonfires lighted in every part of the city.† No gladneſs appeared in the ſtreets, and the bonfires burnt out without company. "It may be," wrote the polite Mead to Sir Martin Stuteville, "that "they run not about a bonfire in the city as they do in

* MS. S. P. O. Conway to Wentworth, 4th April 1623.

† "His Majeſty expected the city ſhould have expreſſed their joy of "their own accord, which, becauſe they forgot, they were thus commanded." S. P. O. (MS.) 5 April 1623.

"the country." He was ſoon to be enlightened on that point. The popular celebration for the preſent preferred was of a different kind. Hardly a day paſſed that the Spaniards belonging to the embaſſy were not beſieged in their houſes, or ſtoned in their coaches as they paſſed along. No lack of "company" in St. Martin's-lane, when any of thoſe gentlemen appeared; and in the tumults that enſued ſeveral lives were ſacrificed.

Graver and more dangerous expreſſion had been meanwhile found for the emotion that ſtirred the people. While Eliot fretted in the priſon to which the council had ſo ſhameleſſly conſigned him, there came ſuddenly into circulation, and immediately afterwards into print, a letter to the king bearing the ſignature of archbiſhop Abbot. It was believed to be genuine, and the excitement it created was extraordinary. The writer had at leaſt caught faithfully, and expreſſed in very ſtartling form, the well-known ſentiments of the chief of the Engliſh church. "By your act," he told the king, "you "labour to ſet up the moſt damnable and heretical teach-"ing of the church of Rome. You ſhow yourſelf a patron "of thoſe doctrines which your pen hath told the world, "and your conſcience tells yourſelf, are ſuperſtitious, "idolatrous, and deteſtable. Hereunto I add what "you have done in ſending your ſon into Spain without "conſent of your council, or the privity or approbation "of your people. Believe it, Sir, however his return "may be ſafe, yet the drawers of him into this action, "ſo dangerous to himſelf, ſo deſperate to the kingdom, "will not paſs away unqueſtioned, unpuniſhed. Beſides, "this toleration which you endeavour to ſet up by "your proclamation, cannot be done without a parlia-"ment; unleſs your majeſty will let your ſubjects ſee that "you will take unto yourſelf ability to throw down the "laws of your land at your pleaſure."* The court were

* Dr. Lingard treats the letter as unqueſtionably authentic, and quotes it with much candour (*Hiſt. of England* vii. 123) as proving the bitterneſs of

in conſternation at this letter, and the moſt extraordinary exertions were made to diſcover the writer. The archbiſhop was called upon to diſavow "the counterfeit paper "paſſing under his name," but though he diſclaimed the authorſhip he declined to carry his diſavowal further. The "paper" muſt be ſuppreſſed, wrote ſecretary Calvert (himſelf now ſecretly a papiſt) to ſecretary Conway;* confeſſing at the ſame time that further ſearch after the author was idle, as an expenſive, endleſs, fruitleſs taſk. The king had indeed cauſe to inſiſt on its ſuppreſſion, for diſcontent was riſing to a frightful pitch, and his majeſty's perſon was even threatened.

But then became noiſed about reports and rumours of a ſtrange complexion. The fleet had been ſome time ready for departure, but was ſtill delayed. An adverſe wind was ſaid to be the cauſe, but the people called it a Proteſtant wind. Seven noblemen, all privy councillors, had ſome time ſince taken their departure for Southampton, to ſuperintend a pageant for reception of the infanta, carrying with them Inigo Jones and old Alleyne the player, who could ſurely, writes Chamberlain to Carleton, have done as well without ſo many privy councillors.† But the pageant ſtill hung fire; and on Sir Francis Cottington arriving ſuddenly at Dover, the truth was no longer to be concealed. There was a ſerious hitch at Madrid. The ſcheme of Gondomar had ſo far taken effect that the prince's preſence enabled the

the Archbiſhop's zeal as a divine and the ſoundneſs of his principles as a ſtateſman. Carte in his *Hiſtory of England* (iv. 108) doubted its authenticity, notwithſtanding its grave quotation by Ruſhworth, Prynne, the Cabala, and other authorities. It will be ſeen by my text that proof of its ſpuriouſneſs exiſts in the ſtate paper office. I can never refer to Carte's book, greatly as I differ from the opinions of its writer, without a tribute to his wonderful induſtry and patience, and, in ſo far as conſiſts with his avowed prejudices, his honeſty. Hume owed to that book whatever credit his Hiſtory received for reſearch, and much of the praiſe it deſerved for lucidity of arrangement. The philoſophic remark, and incomparable beauty of ſtyle, were of courſe all Hume's own.

* S. P. O. (MS.) 14th Auguſt 1623.

† S. P. O. (M.S.) 14th June 1623.

ſubtle and keen Olivarez to undermine the Briſtol negotiations and re-open the affair on new grounds. Briſtol remonſtrated warmly, but was met by Buckingham's ſcorn. Drunk with vanity and unbridled will, the favourite thought a higher prize was in his reach, and opening his hand to ſeize it dropped all that had been gained. What it was eaſy to overthrow, he found it next to impoſſible to rebuild. Baffled in his attempt to get better terms, he loſt his temper and his courteſy. His noiſy arrogance, his preſumption, his airs of more than regal ſuperiority, only ſhowed in humiliating contraſt the calm predominance of the Spaniard. All the hopes and deſigns with which he entered Madrid were now utterly broken down; and the futility of the entire ſcheme had declared itſelf, even before the tidings, now borne to him by every diſpatch from Whitehall, of the ſtate of public feeling in London and of the dangers it threatened to himſelf, firſt had reached him. He at length ſaw, or affected to ſee, what the popular deſire in England was; and he decided upon a rupture with Spain.* He was not long in effecting it; and immediately afterwards, amid the piteous wailings and lamentations of the king, amid confuſion worſe confounded of the courtiers unable any longer to feel or find their way, amid the people's riſing ſhouts of gladneſs "as of thunder heard remote," he hurried the prince home.

Now might Mr. Mead have had perſonal experience of what a London bonfire was. The travellers landed at Portſmouth on the 5th, arriving in London on the 6th, of October; and from that day onward, for many

* See the various hiſtories as to this Spaniſh buſineſs. Dr. Lingard has treated the ſubject very fully; and ſome able reaſoning on the general queſtion will be found in Bolingbroke's *Remarks*, pp. 285-306. 8vo edit. There are alſo important communications relative to it in Lord Hardwicke's State Papers; in the ſecond volume of Somers's Tracts, and in Howell's Familiar Letters. Perhaps the beſt account is by Howell, who was himſelf in Spain. Mr. D'Iſraeli's "Secret Hiſtory of the Spaniſh "Match" is pleaſant and ingenious; adding, with great vivacity, nothing whatever to our knowledge about it.

weeks, every part of the land was in a rapture of rejoicing. The city and its ſuburbs blazed with bonfires, and upon one at Blackheath Mr. Chamberlain ſaw depoſited fourteen loads of wood. Every leading thoroughfare had its flaming pile; and ſo mad were the populace with exceſs of joy, that out of every timber cart that rolled along the ſtreets the horſes were taken, and timber, cart and all, were flung into the flames. They were well allayed by London liquor, writes Conway to Carleton,* or the whole city might have been conſumed. Hogſheads of wine and butts of ſack were ſeen flowing in every direction, and this noiſe of riot and feaſting alternated with ſights and ſounds of deeper and graver import. Thankſgivings roſe in all the churches, as of deliverance from a great calamity; and the anthem which tells of Iſrael coming out of Egypt, and the houſe of Jacob from a people of ſtrange language, was taken up and ſung with aſtoniſhing fervour. Buckingham was the hero of the hour, and became the object of extraordinary and hyperbolical praiſes. Old Coke went ſo far as to call him the ſaviour of his country.

It ſeems doubtful whether the poor old king ever ſmiled again. But to hiſtory it belongs to tell of the miſery and mortification that awaited him after this downfall of the one cheriſhed ſcheme of his life, and upon only ſuch portions of hiſtory may I now linger in theſe pages as are eſſentially connected with Eliot's career. The taſk of explaining the ſtrange and exceptional poſition of public affairs at Buckingham's return to England has been accompliſhed, and my narrative, unintelligible without ſuch explanation, is now reſumed.

IV. Calumny.

Re-entering the path of Eliot's fortunes, the ſame miſrepreſentation and falſehood that dogged his ſteps

* S. P. O. (MS.) October 1623.

during life, and have continued to haraſs his memory, wait as uſual to be cleared away.

The laſt refuted calumny, if accepted for truth, would have exhibited him, while in his boyhood, a ſuppliant to Buckingham for releaſe from penalties of crime, while Buckingham himſelf was younger ſon to a country gentleman of Leiceſterſhire, with leſs than Eliot's own opportunities and power. Mr. D'Iſraeli has nevertheleſs adopted that ridiculous ſtatement, and has attempted to corroborate it by the production of a letter written by Eliot in 1623 to the duke.* That is to ſay, he declares Sir John to have repaid protection and knighthood given him by the duke with immediate and violent hoſtility; and propoſes, in corroboration, to produce a letter written in terms of courteſy and deference, by Sir John to the duke, ſome conſiderable time after the period of the knighthood. I paſs the contradiction, however, and for a time alſo the letter itſelf, to conſider the poſition attempted to be eſtabliſhed by it, namely, "that in 1623 we find Sir John a ſuppliant to, and at "leaſt a complimentary admirer of, the miniſter, and "only two years after, in 1625, Eliot made his firſt "perſonal attack on that miniſter, his late patron and "friend, whom he then ſelected as a victim of ſtate."

To the firſt part of this charge, the ſhort and obvious anſwer has already been ſupplied in the account of Eliot's vice-admiralty diſputes. The letter is written by the vice-admiral of Devonſhire to the lord high admiral of England; and, as will ſhortly be ſeen, is neither leſs nor more than a ſimple demand of reparation for injuries undergone in ſupport of the office and rights of the Duke of Buckingham. Its tone will be ſeen to be expoſtulatory; and, courteous as its terms are, it is even deficient in the elaborately complimentary phraſes that were conſidered due, in thoſe days, to the ceremonious

* *Commentaries* ii. 270.

obſervances of letter-writing. Not only does it in this reſpect, indeed, fall ſhort of the notorious cuſtom of the age, but the bareneſs of its language, conſidering the time at which it was written, may be characteriſed as even ſurpriſing. Hardly a month had paſſed ſince Buckingham's return from Spain; yet Eliot offers him nothing of the adulation which Coke and Philips* were ready to lay at his feet. Mr. D'Iſraeli moreover dates the letter as at "the cloſe of 1623," which would intimate that parliament had already commenced its ſitting; and then takes leave to tell his readers, that the patriotiſm of Eliot was a "political revolution, "which did not happen till two years after he had been "a ſuppliant to this very miniſter."† Mr. D'Iſraeli really knew nothing of the circumſtances, or of the cloſe relations that will be ſeen to have continued, beyond this date, between the vice-admiral and the head of the admiralty. The truth as to the letter is, that it was written in the eighth month of 1623 (old ſtyle), two months before the aſſembling of parliament; and there the voice of Eliot was heard, in the tone it never afterwards abandoned. Though none of his ſpeeches at this period have been preſerved in the hiſtories, I have been ſo fortunate as to diſcover among the papers at Port Eliot, ample notes, in his own hand, of ſpeeches delivered by him in this very parliament: and from theſe, from other manuſcript records, and from the journals of the houſe of commons, I now undertake to prove that no "political revolution" ever occurred in his life; that he was conſiſtent from the firſt; and that while his eloquence was often exerted in this laſt aſſembly of James's reign,

* In the ſame volume of letters (the *Cabala*, p. 340), is a letter to the duke from Sir Robert Philips, on which a preciſely ſimilar charge to this I am now diſcuſſing might be as eaſily founded. Mr. D'Iſraeli admits Philips to have been emphatically an independent country gentleman, but he does not ſeem to have known that there was a time in his life when even Philips thought Buckingham to have deſerved well of his country.

† *Commentaries* ii. p. 227.

he never ſpoke but in ſupport of the principles, and of the rights and the privileges, for which he afterwards ſuffered death.

V. Preparations for the Meeting in 1623.

"Right Honourable," wrote Eliot to Buckingham, "With what affection I have ſerved your grace, I deſire "rather it ſhould be read in my actions than my words, "which made me ſparing in my laſt relation to touch "thoſe difficulties wherewith my letters have been checkt, "that they might the more fully ſpeak themſelves. I "ſhall not ſeek to gloſs them now, but, as they have "been, leave them to your grace's acceptance, which I "preſume ſo noble, that ſcandal or detraction cannot "decline it. It were an injury of your worth, which I "dare not attempt, to inſinuate the opinion of any merit "by falſe colours or pretences, or with hard circumſtances "to endear my labours; and might beget ſuſpicion, "ſooner than aſſurance in your credit, which I may not "hazard. My innocence, I hope, needs not theſe; nor "would I ſhadow the leaſt errour under your protection. "But when my ſervices have been faithful, and not "altogether vain, directed truly to the honour and bene-"fit of YOUR PLACE, only ſuffering upon the diſadvantage "of your abſence, I muſt importune your grace to "ſupport my weakneſs, that it may cauſe no prejudice "of your rights and liberties, which I have ſtudied to "preſerve though with the loſs of mine own. My inſiſt-"ance therein hath expoſed me to a long impriſonment "and great charge, which ſtill increaſeth, and threatens "the ruin of my poor fortunes, if they be not ſpeedily "prevented. For which, as my endeavours have been "wholly yours, I moſt humbly crave your grace's "favour both to myſelf and them; in which I am devoted. "Your grace's thrice humble ſervant; JOHN ELIOT. "Novemb. 8. 1623."*

* Printed at the cloſe of the *Cabala* (Ed. 1663, pp. 412–13).

It may be doubtful whether the vice-admiral had, or had not, left his priſon in the Marſhalſea at the time he thus wrote to the lord-admiral. While he employs expreſſions that conſiſt with either ſuppoſition, they point perhaps with greateſt probability at the latter. But does the ſpirit or tone of the communication admit of any queſtion? Is it not a manifeſtation of a kind the exact oppoſite of what has been alleged of it? Nowhere viſible in it to me is humility or ſuppliance, but rather, as addreſſed to the favourite at that ſupreme hour of his popularity and triumph, a lofty reticence, and a high-ſpirited, almoſt haughty reſerve.

The vice-admiral, impriſoned and perſecuted for having defended with ſpirit and diſcharged with faithfulneſs the duties of an office in whoſe proper maintenance the lord-admiral has a deeper intereſt than himſelf, begins by ſpeaking of more than one relation which already he had made upon his caſe, and to which there ſeems to have been no reply. He has yet no wiſh that anything ſave his own actions and labours ſhould ſpeak for him; and he "preſumes" the duke too noble to require falſe pretences for ſupport of innocence, or to deem the leaſt error as having claim to protection. No ſuch petition does Eliot prefer to Buckingham. His ſervices as vice-admiral of Devon had been faithful, had not been vain, had been uniformly directed to the honour and advantage of the more important office involved in his, and had ſuffered by the lord-admiral's abſence in Spain. Therefore was he entitled to "importune" the duke ſo to ſupport his weakneſs, that it might not further prejudice thoſe higher claims for which he had ſacrificed his own. His maintenance of the claims of the admiralty had expoſed him to a long impriſonment and great charge, which ſtill increaſed, and, if not ſpeedily prevented, threatened the ruin of his fortunes. And ſo, craving his grace's favour for endeavours that had been wholly his, he is his grace's thrice humble ſervant. I ſay, a manly

and independent letter; ſuch as ſtrikingly contraſts, in its tone and terms, with the fulſome and not ſeldom blaſphemous adulation that had then become the cuſtom of higheſt dignitaries, biſhops, privy councillors, and ſecretaries of ſtate, to addreſs to the all-powerful Buckingham.

What anſwer was made by the duke, or whether any anſwer was made, I have failed to diſcover. The only certainty is that Eliot's intercourſe with the duke did not ceaſe or determine. It is alſo certain, however, that one part of his requeſt to his chief remained unfulfilled, and that parliament itſelf, and not the duke, had to give order for the ſtay of ſuch ſuits as were in progreſs againſt Eliot, threatening him with ruin. It may further have been due ſolely to the fact of a parliament approaching, that Eliot obtained even his perſonal freedom; ſince the fact does not with certainty appear to us, until the providers of court news return his name among the liſts of candidates for the new houſe of commons.

With ſore difficulty had the poor king, thoroughly ſubdued and humbled as he now was, been brought to conſent to the calling of a parliament. The very influence over the popular leaders on which the favourite at preſent counted, had only more diſpoſed the king to ſhrink from the propoſal. He knew the irreconcileable hatred borne by them to Spain; and of his dog Steenie he now alſo knew that there was no extreme, even of popular ſubſervience, to which he would not lend himſelf to carry the object he deſired. Briſtol had braved his power in the very intereſt ſtill deareſt to James; had come over from Madrid to ſupport the Spaniard; had croſſed from Calais in an open boat, on an Engliſh ſhip being denied to him; and, at landing, had been put under reſtraint by the order of Buckingham.* The council ſpecially

* Not until after the treaties had been declared broken, and ſubſidies voted for the war, was Briſtol permitted to come to town; and the courſe then taken with him may be inferred from what Wentworth writes to

ſummoned to determine whether Spain had given cauſe for war had anſwered in the negative by five to three;* chancellor Weſton, whoſe wife (if not himſelf) was a Roman-catholic, and ſecretary Calvert, a confeſſed convert to popery, having been reinforced by the Lord Keeper and the Lord Treaſurer, under the belief that after all the king's was the ſafer ſide to vote with; and Williams and Middleſex were now marked out for ruin. In Buckingham's hands, thus far, the prince had been wholly ſubmiſſive and unreſiſting. All theſe were reaſons with the king for dread of a parliament; and eſpecially hateful to him was the neceſſity of ſubmitting to the deliberation of that aſſembly, as he knew to be the favourite's intention, details of negotiations that were of the very eſſence of the myſtery of government and kingcraft, and to be kept ſhut among the arcana imperii. But, diſappointed of the infanta's dowry, he had no money, and no other means of getting it. The writs went out, and the elections began.

Williams had by this time ſeen his miſtake, and in the interval before parliament met he did his beſt to repair it, by patching up a hollow and temporary truce with the man who had lifted him to favour, and who now frankly told him that though he would not ſeek his ruin, he

Wandesforde, on the 17th of June 1624. "My Lord of Briſtol is in "town preſſing to have his charge, and to be admitted to his defence; "wherein, for faſhion ſake, the two Secretaries and Mr. Chancellor of the "Exchequer meet for drawing of the Interrogatories; but it moves ſo "ſlowly, as if now being come to a full and complete time of birth, they "had not ſtrength to bring forth any well-formed or ſolid matter, no not ſo "much as in Idea. For ſure, I conceive, it is not any good nature or "tenderneſs to the nobleman, that cauſeth this leaden heavy march; ſo as in "good faith I do begin almoſt to think, there was no ground for their "opinions who thought his offence ſo great *as he never would, nay never "durſt, return home hither into England.*" Strafford Letters i. 21. Wentworth's ſympathies were with Spain; but no man was better informed of what paſſed in the court, and the laſt-mentioned rumour had been ſo buſily ſet on foot as to win confident belief from the anti-Spaniſh party in the commons.

* S. P. O. (MS.) 31 January, 1623–4. Carliſle, and ſecretary Conway, voted with Buckingham.

ſhould ceaſe to ſtudy his fortune. He buſied himſelf in perſonal communications between Buckingham and ſeveral of the popular leaders; and ſwallowing his repugnance to the little obſtinate biſhop of St. David's, he for once in his life conſented to act with Laud, whom he deteſted,* in ſmoothing the way to a parliamentary triumph for Buckingham, whom he ſtill more abhorred.

* A few extracts from Laud's *Diary* will ſufficiently and characteriſtically ſhow the progreſs of theſe amuſing, if not very creditable, court intrigues and quarrels. "1623. Dec. 14. Sunday night, I did dream that the Lord "Keeper was dead: that I paſſed by one of his men, that was about a "monument for him: that I heard him ſay, his lower lip was infinitely "ſwelled and fallen, *and he rotten already*. This dream did trouble me." "Dec. 15. On Monday morning, I went about buſineſs to my Lord Duke "of Buckingham. We had ſpeech in the Shield Gallery at Whitehall. "There I found that the Lord Keeper had ſtrangely forgotten *himſelf* "to him; *and I think was dead in his affections*." He alludes to the vote at council on Spaniſh affairs. "Dec. 27. St. John's Day. I was with "my Lord of Buckingham. I found that all went not right with the "Lord Keeper, &c." "Dec. 30. I adventured to tell my Lord Duke of "Buckingham of the opinion generally held touching the commiſſion of "ſending Sir Edward Coke and ſome others into Ireland, before the "intended parliament." "Jan. 11. My Lord Keeper met with me in "the withdrawing chamber, and quarrelled me gratis." "Jan. 14. I "acquainted my Lord Duke of Buckingham with that which paſſed on "the Sunday before, between the Lord Keeper and me." "Jan. 25. It "was Sunday. I was alone, and languiſhing with I know not what ſad-"neſs. I was much concerned at the envy and undeſerved hatred borne to "me by the Lord Keeper. I took into my hands the Greek Teſtament, "that I might read the portion of the day. I lighted upon the thirteenth "chapter to the Hebrews; wherein that of David, pſalm lvi, occurred to "me then grieving and fearing: The Lord is my helper; I will not fear "what man can do unto me. I thought an example was ſet to me; and "who is not ſafe under that ſhield? Protect me, O Lord my God." "Feb. 4. This day I waited on the Ducheſs of Buckingham. That "excellent lady, who is goodneſs itſelf" (ſhe had become a violent Roman-catholic), "ſhewed me a form of devotion, which another woman, unknown "to me, had put into her hands. I read it. All was mean in it: nothing "extraordinary; unleſs that it was more like to poetry." Of poetry, we may therefore infer, the aſpiring little biſhop had an extremely "mean" opinion. "Feb. 6. Friday. My Lord Duke of Buckingham told me of "the reconciliation the day before made with the Lord Keeper." The parliament was to have met on that reconciliation day, but was accidentally deferred. This gave time for more complete reconciliation. "Feb. 18. "Wedneſday. My Lord Duke of Buckingham told me of the reconciliation "*and ſubmiſſion* of my Lord Keeper; and that it was confeſſed unto him "that his favor to me was a chief cauſe. Invidia quo tendis? &c. At ille "de novo fœdus pepigit." Next day the parliament began.

The king had made it a condition that at leaſt Coke, Philips, Crewe, Sandys, Pym, and Dudley Digges ſhould be excluded from the houſe; and though each had been returned for more than one place, a commiſſion had been prepared for ſending them all compulſorily to Ireland. But at laſt the difficulty was removed, and there can be no doubt that theſe popular members took their ſeats by ſpecial interference of Buckingham.

As in the preceding parliament, Coke ſat the chief and centre of an illuſtrious group of lawyers, among whom were Noye, Selden (now firſt a member), Hakewell, Heneage Finch, Edward Alford, and Glanvile. Wentworth again ſat for Oxford, and Crewe for Ayleſbury. Pym, returned to the laſt parliament for Calne, has been returned to this for Taviſtock, and, undaunted by impriſonment undergone, and more recent danger narrowly eſcaped, is now, as to the laſt hour of his life he continued, deep in the counſels of all who held themſelves moſt aloof from the court, in the firſt rank of impreſſive and weighty ſpeakers, and a man of moſt ardent religious convictions, with powers of application to buſineſs the moſt vaſt and unwearied. Other friends much cheriſhed by Eliot are Sir Oliver Luke, Mr. Hampden of Great Hampden, Sir Robert Philips of Montacute, Walter Long, William Coryton, Bevil Grenvile, Richard Knightley, and Sir Edward Giles. With another more formidable group, the northern men as they were called, he had no perſonal ſympathy, though he frequently acted with them. Prominent among theſe was Sir Thomas Wentworth, near whom ſat Chriſtopher Wandesforde and Sir Arthur Ingram; Mr. Lowther and Sir John Radcliffe; Sir Henry Slingſby and that riſing Yorkſhire lawyer Mr. Hutton, afterwards the Sir Richard who pronounced againſt ſhip money; Sir Thomas and Sir Ferdinando Fairfax; Sir Thomas Bellaſis and Sir John Stanhope; Sir Robert Jackſon, Sir Henry Anderſon, and the two Saviles, father and ſon. Theſe men for the moſt part,

even the Saviles in all county queſtions, acted together; and conſtituted a ſection formidable by their talents and influence, whether marſhalled together againſt the court for public motives, or banded together againſt the oppoſition for purpoſes of their own.

No evidence appears, but rather perhaps indications to the contrary, that the favourite had in any way promoted or deſired the return of his old acquaintance Eliot. It is probable that if he had, he might not have ſucceeded; for it is curious that Cottington, though put forward with all the influence of the favourite and the prince, whoſe ſecretary he was, only obtained a ſeat for Camelford after two defeats elſewhere. Not a marked man like thoſe for whom the interference of Buckingham became neceſſary, Eliot was not indeed forced upon the king for his independence of the crown; but neither was he forced upon the houſe for the leſs creditable reaſon of a dependence on the favourite of the court. Wood and others have aſſerted that he ſat, and was one of the prominent ſpeakers, in the 1620 parliament;* but much as this belief might receive favour from the diſtinguiſhed place he took in the preſent aſſembly, and the high part at once aſſigned to him, it is certainly a miſtake. I have ſhown that all his previous parliamentary experience conſiſted in the ſilent part he took during his youth in the four months' parliament of 1614. But men like Eliot are never unprepared or unready; and ſucceſs that is born of the aptitude for great duties, which leſs men have to ſtruggle and contend for, waits of right upon them. In that early parliament he ſat for St. Germans; to this he was returned, in conjunction with Mr. Richard Eſtcourt, as member for Newport, another borough in his own county of Cornwall.

And now, from the firſt moment of his active public

* Wood is ſeldom to be relied on for any date, except thoſe which are furniſhed by the Oxford books.

life, his honeſty of ſpeech and patriotiſm of conduct began. They who have aſcribed it to diſſatisfaction or ſpleen, to pique or the ſpirit of oppoſition, have had to aſſume that he held an office of which he had been deprived, and that either from mortification at having loſt it, or the hope of regaining it, his public life took its firſt tone. There is not a particle of truth in this. He was ſtill in the habit of cloſe intercourſe with Buckingham; he was ſtill, and for ſome years continued to be, vice-admiral of Devon; and the office for whoſe retention he has been ſuppoſed capable of ſuch unworthy ſacrifices, he muſt have known was put in peril by the courſe he proceeded to take. But it had not been difficult, in the abſolute ſilence of all the hiſtorians as to his conduct throughout this parliament, to put forth with ſome plauſibility the aſſertion of his having been, at the time, a mere undiſtinguiſhed ſubſerver to the Duke of Buckingham. I was formerly, therefore, at ſome pains to trace his exact courſe, and have ſince been ſo fortunate as to find, among the papers at Port Eliot, ſeveral manuſcript notes of his ſpeeches, heretofore wholly unreported, which bear out entirely the view I then took, and ſhow deciſively the incorrectneſs of the leſs favourable view. That his firſt ſtep was to ſeparate himſelf from even thoſe popular leaders who would have waived, as matter of temporary policy, any preſent revival of the queſtion which had broken up the laſt parliament; and that, while earneſtly upholding the policy of reſiſtance to Spain, and eulogiſing the king and the prince, he abſtained from introducing Buckingham's name; I had ſeen reaſon to infer in the abſence of theſe additional proofs. But in their preſence, it is no longer poſſible to aſſume that Eliot might have been ſilent about Buckingham only becauſe his mind was rankling on the injury referred to in his November letter.*

* "Mr. Forſter, in his Life of Sir John Eliot, written with conſider

33.

The explanations of that letter now for the firſt time produced, afford ample refutation on this point; and an eaſy ſolution of other ſimilar difficulties will be adduced hereafter, in ſimilar original letters and details. Suffice it then to repeat, that the complaint made in November was from the vice-admiral to the chief of the naval adminiſtration; and that ſuch official communications, beſides other indications of private intimacy, continued for ſome time longer to paſs between Sir John Eliot and the Duke of Buckingham.

"able care, has noticed the ſilence of Eliot reſpecting the Duke of Buck-
"ingham in the parliament of February 1623, when the lauded name of
"the duke was frequently on the lips of other popular members, as evidence
"that Eliot was not a ſubſerver to the duke;—I regard it as evidence that the
"mind of Eliot was then rankling on the ſuppoſed injury which he com-
"plains of in the November before." So writes Mr. D'Iſraeli, in his *Commentaries on the Life of Charles the Firſt*, Second Edition, 1850. When I publiſhed in my *Stateſmen of the Commonwealth* the memoir of Eliot (a mere biographical ſketch, of which the preſent is not a reproduction, being an entirely new work), I had not obtained acceſs to the manuſcript materials of which I have here made ample uſe; but it was then clear to me, as thoſe ſubſequent diſcoveries eſtabliſh, that Eliot's intercourſe with Buckingham had not been brought to a cloſe by the injuries or wrongs referred to in the November letter, but that they continued ſtill for ſome time in communication with each other. I quote the paſſage referred to by Mr. D'Iſraeli: "After the moſt anxious ſearch, I can find no alluſion
"from Eliot, reſpecting Buckingham, which indicates a feeling of any
"ſort. His ſilence on this head is indeed remarkable, as the lauded name of
"the duke was then moſt frequently on the lips of other popular members;
"but in no place is the favourite alluded to, not even at the cloſe of the Spaniſh
"buſineſs, when thanks were moved by Eliot to the 'prince, the king, and
"'to God,' for the reſult of the deliberations (*Journals*, April 24). Yet,
"that this did not proceed from any vindictive feeling at an abrupt ceſſation
"of intercourſe, I think I am enabled to prove. From a minute of the
"journals of the houſe (April 1, 1624), it appears that, on one of the
"debates reſpecting the Spaniſh treaties, ſome private letters of the Duke
"of Buckingham were referred to, whereupon Eliot ſtated that he had that
"morning ſeen thoſe letters. This is ſpecially entered in the clerk's book.
"No other member makes alluſion to having ſeen them. This appears to me
"to offer a fair preſumption that Eliot ſtill continued to meet Buckingham
"in private intercourſe; and if ſo much is admitted, it puts an end to the
"amiable theory of thoſe writers who have concluded that the letter to the
"duke, previouſly quoted, was the laſt of a ſeries of unanſwered appli-
"cations, and that, from the time of its date, a vindictive feeling had been
"awakened in the breaſt of the offended writer—that Eliot's patriotiſm,
"in fact, was altogether a perſonal pique at Buckingham." *Stateſmen of the Commonwealth* i. 21–22.

Be it only further remembered, in entering on Eliot's public life, that in that day politics were neceſſarily and intimately connected with religious doctrine. The Romiſh cauſe was the oppreſſor's cauſe, the Proteſtant's that of the oppreſſed; and the Engliſh conſtitutional party ſaw no chance for good government, except in root-and-branch oppoſition to the Roman-catholic faith. The Proteſtant ſtruggle at home was weakened by Popiſh ſucceſſes abroad; and the unequal conflict of the patriots of Bohemia, with the extenſive Roman-catholic confederacy leagued againſt them, ſeemed, to all thoughtful as well as pious men, not vaguely to ſhadow forth a like poſſible fate for the popular party in England. So at leaſt thought the leaders of this and the laſt parliament: the two "greateſt and the knowingeſt auditories," as a political adverſary called them, "that this kingdom, or "perhaps the world, had afforded."*

VI. Member for Newport.

Parliament met on the 12th of February 1623-4, but was adjourned to the 19th, when the king, in a tone very different from his ſpeeches in former years, addreſſed them. His old alacrity and cheer of ſpirit were gone; and indeed the court goſſips had reported, but a week or two before, that his majeſty had fallen into ſuch a habit of perpetual drowſineſs, that he was only kept awake by playing cards.† There was nothing in his ſpeech about his darling myſteries of ſtate and government. He had called lords and commons together in the hope of removing previous miſunderſtandings, and he meant in future to cheriſh his people as a good huſband

* Biſhop Hacket in his Life of Williams, 179.

† S. P. O. (MS.) 31 January 1623-4. The "perpetual drowſineſs" was the forerunner of what ſo ſoon was to follow. So is it, as Shakeſpeare finely ſays (*Timon of Athens*), that

> — Nature, as it grows again toward earth,
> Is faſhion'd for the journey, dull and heavy.

his wife. He had long been engaged in treaties by which he hoped to ſettle the peace of Chriſtendom; but on account of the repeated delays, he had allowed his ſon to go himſelf to Spain and had found thereby how fallacious were treaties. Everything now depended on their good advice. Upon one point eſpecially he muſt requeſt them to judge him charitably. (The poor king muſt have found it hard to give forth this part of his leſſon, which in truth was a downright falſehood; but his taſk-maſter ſtood by, and there was no help for it.) He had never intended more than a temporary alleviation of the penal ſtatutes againſt the Roman-catholics. He had never promiſed, or yielded, to diſpenſe with any, or to forbid or alter any. Never had he thought it with his heart or ſpoken it with his mouth. He hoped therefore they would not be jealous of him, or needleſſly exacting in points of privilege. Williams followed as Lord Keeper; moſt becomingly confirming what no man knew, ſo well as he, to require all poſſible confirmation; and excuſing himſelf, as a "croaking chancellor," for ſpeaking briefly after the king, on the ground that thoſe who heard the nightingale would hardly care to hear an imitation. Then, the commons having choſen for their ſpeaker Sir Thomas Crewe, the ſame who ſo grandly had upheld their privileges in the previous aſſembly ("an "ancient member of this houſe, and a man every way "after our own hearts"), adjournment was moved to the 23rd; when that day, and the two following, were occupied by a narrative of the whole Spaniſh buſineſs made to the lords by Buckingham with the prince ſtanding by, ſo ſhaped as to hit exactly the taſtes of the lower houſe, and only noticeable now, when viewed with the comment of the prince's placid and entire acquieſcence therein, for the proofs ſubſequently given of its deliberate garbling and falſifying of all that had occurred in Spain. It was an ill promiſe for the ſecond Stuart reign that ſo plauſible a demeanour could maſk ſuch deliberate

perfidy. "The prince," ſays Ruſhworth, "not only gave "the teſtimony of his ſilence to theſe untruths, but on "its being reported to the houſe, approved thereof "there alſo."*

On the 27th, buſineſs began in the commons; and one of the firſt entries in the journals is a motion on behalf of Sir John Eliot, by his countryman and friend Sir Edward Giles, to make ſtay of a trial inſtituted againſt Sir John. Order was made accordingly that a warrant ſhould go out, and this was repeated three days later with extenſion of the warrant to a ſimilar trial againſt "Sir John Eliot's man."† The trials were thoſe proſecutions inſtituted againſt Eliot, and his "meſſenger" Richard Elmhirſt, of which former mention has been made.

This order had ſcarcely iſſued when Eliot himſelf aroſe. It was the firſt ſpeech of the ſeſſion, and as if at once to ſhow his own freedom from any compact or underſtanding that others might have made, he took his place on the forbidden ground. It appears to have been an underſtanding that the differences which broke the laſt parliament, and in eſpecial the famous Proteſt for their privileges torn from their journals by the king's own hand, ſhould not for the preſent be revived; but Eliot refuſed

* *Hiſt. Coll.* i. 76 et ſeq. Ed. 1682. Laud has an anecdote in his *Diary* which connects itſelf with the incident in the text. "Feb. 1. Sunday. I "ſtood by the moſt illuſtrious Prince Charles at dinner. He was then very "merry; and talked occaſionally of many things with his attendants. "Among other things he ſaid, that if he were neceſſitated to take any "particular profeſſion of life, he could not be a lawyer; adding his reaſons. "*I cannot* (ſaith he) *defend a bad, nor yield in a good cauſe.* May you ever "hold this reſolution, and ſucceed (moſt ſerene Prince) in matters of greater "moment, for ever proſperous!" Was there ever an inſtance of a thoroughly obſtinate man not ready and eager to ſay for himſelf what Charles Stuart then ſaid? See alſo Johnſon's remark, *Boſwell*, p. 250 (Ed. Croker).

† *Commons Journals* i. 719–722. The reader ſhould be informed that this publication of the journals contains two diſtinct and ſeparate reports of the parliament of 1623–4, following each other in the volume, but with nothing from the Editor to indicate that they refer to the ſame proceedings of the ſame ſeſſion. The ſecond copy will be found in pp. 715–798 of the volume.

his aſſent. As little of advantage as of honour could proceed, he argued, from compromiſe or waiver of that on which not their uſefulneſs only, but their exiſtence, depended. He muſt therefore raiſe his voice for thoſe favours their anceſtors had enjoyed; and it is memorable that he ſhould thus have ſpoken his firſt ſpeech in the houſe elaborately to defend thoſe parliamentary immunities and rights for which afterwards he ſuffered death.

He began by reminding his hearers of the ancient opinions held of repreſentative aſſemblies, and how happy their effects had been to the kingdom; how like a ſanctuary they had been to the ſubjects, how like a magazine to the princes. There, for the moſt part, had the princes granted ſuch laws and reformations as were covenable for the neceſſities and welfare of the ſubject; and there had the ſubject, making often larger return than was expected, reciprocated the affections of his princes. "But," continued Eliot, "in the "two laſt conventions, at one of which I was preſent, "and to the other a well-wiſher; wherein the neceſſities "of the king and country mutually ſought for the "interchange of help and aſſiſtance from each other; "the king requiring ſupply and aid from the country, "the wants and grievances of the country urging relief "and remedy from the king; when on both ſides there "was moſt expected and moſt needed; nay, when the "king began moſt graciouſly to offer himſelf to the ſub-"ject as in all things befitted a merciful and pious "prince, and the ſubject was again returning his thank-"fulneſs with extraordinary demonſtrations to the king; "—in theſe, I ſay (Oh! that I could *not* ſay), in theſe "laſt meetings miſery crept into the place of happineſs, "and by jealouſies and diſtractions took from us the "benefit of theſe counſels which hope had made equal to "the wiſdom of our elders."

Whence, then, had come that loſs and defeat? If

they would prevent its recurrence, they must consider it now. Had the character of those assemblies changed? Or had the times changed the reason of them, and brought it to new forms? (The question probably startled some of his hearers.) "As I am ignorant," he continued, "I should be glad to learn. It was the "character of a wise man in the last age, upon this point, "that the greatest unhappiness could befal this king-"dom was that our parliaments should become imper-"fect and inadequate; and that the dissent between "prince and people *here* was the most dangerous! Which "how it hath of late been, *quanquam animus meminisse* "*horret*, as that wherein the soul of this kingdom hath "already too much suffered,—yet give me leave, I be-"seech you, a little to revive it, that we may thence "study an easier way for ourselves. *Faciunt aliena peri-*"*cula cautos*. It is a cheap way of learning upon the "costs of other men."

With much boldness Eliot then declared his belief that if they had been careful to protect their proceedings by greater secrecy, to trust the king more, and to confide less in those about him, many rocks had been avoided on which unhappily they struck. Some things they would find in the king, but some things also in themselves, that occasioned these breaches. The road they walked was a troubled one, whether diffidence in the king, jealousy among themselves, or want of secrecy in their business, led them into it. "The distrust of a "sovereign," pursued Eliot, "is ever as disadvantageable "as the hate of an enemy; and where we are not con-"fident of ourselves, what can we expect from others? "It cannot be but inconveniences will follow, where "precautions are not taken; and therefore I shall "earnestly desire, before you enter into any particular "disputes, that you will, upon this general, a little reflect "what hath been, and from thence consider what may "now be done."

He then detailed his own experience (already quoted*) of the elder of the two laſt unfortunate aſſemblies; and afterwards, with as much wiſdom of purpoſe as moderation of tone, dwelt upon the cloſing agitations of the great parliament of 1620 by way of warning and teaching for their preſent guidance. It would not do, he ſaid, to evade them; nor, after ſuch bold ſpeaking of their predeceſſors, did it become themſelves to be ſilent. "It were preſumption in me," he ſaid, "that have nothing "but on credit from that laſt aſſembly, to make ſo near "a ſearch or cenſure only of the effect; but you will "pardon me to complain, who loſt ſome hopes in that "public adventure. I fear, Mr. Speaker, the rocks on "which you then ſtruck were not natural, but caſt in the "way by ſome ſubtle art to prevent the paſſage of your "duties to the king. Neither can I think that by ſuch "means the intercourſe was more eaſy for his majeſty's "love to you, but rather that, by oblique winds and tides, "his graces were ſometimes diverted or prejudicate. "This I am moſt confident of, both concerning his ma-"jeſty and the houſe; that never king with more gracious "reſolutions for the comfort and benefit of his ſubjects "called a parliament, nor ſubjects with more ſincere affec-"tions came devoted to their prince. But in this doubtleſs "there was ſome miſpriſion, and between his majeſty and "the houſe ſtood ſome falſe glaſſes, that reflected not "the true ſenſe of the object, but with colours and "illuſions wrought deceit.

"The greateſt doubts (as I conceive) the king had of "the parliaments, concerned his prerogative: his majeſty "being perſuaded that their liberties did intrench upon "him. The fears the parliaments had of the king were, "that by his prerogative he ſought to retrench and "block up the ancient privileges and liberties of the "houſe. This made the inſiſtance ſtrong on both ſides;

* *Ante*, p. 25.

" the king maintaining his royal power, the houſe contend-
" ing for their privileges; whereas, being well diſtin-
" guiſhed, both might have enjoyed their own without
" impeachment of the other's right. For the king's prero-
" gative, no man may diſpute againſt it; it being an in-
" ſeparable adjunct to regality. It has its example in the
" firſt and greateſt monarch, the King of kings; who re-
" ſerves to himſelf, beſides his laws, a power to ſave;
" which Seneca calls proprium regis, and we his prero-
" gative. For the privileges of parliament, they have been
" ſuch and ſo eſteemed, as neither to detract from the honor
" of the king, nor to leſſen his authority. They conduce to
" the liberty of this place, that we may here freely treat and
" diſcourſe for the public good of the kingdom; and I
" take them to be a main baſe and prop whereby ſuch
" good doth ſubſiſt."

In very noble and dignified phraſe, without compromiſe but without offence, he proceeded to vindicate what had then been done, and thus to give in his adheſion to the memorable Proteſtation of the Commons. " For, as parliaments have been ever held to be the chief
" ſupport and pillar of the kingdom, ſo is this privilege of
" parliaments eſſential to their exiſtence: by which opinions
" are plainly delivered, difficulties beaten out, and truth
" reſolved upon. Were it otherwiſe, men fearing to diſ-
" pleaſe would blanch thoſe propoſitions that might have
" queſtion, and ſilence their underſtandings in matters
" of moſt import. And in this, the Proteſtation of the
" Commons laſt made gives me great ſatisfaction, as
" proceeding from excellent deliberation and advice. Its
" reaſons were well weighed. Such had been the habit
" and long uſe of this place. Still had its way been
" held with jealous regard to the honor and dignity of
" our head, the king. More for his ſake, than ours, it be-
" hoved that ſuch liberty be allowed. The buſineſs is
" the king's; the kingdom hath its repreſentative in the
" king. In him our reſolutions reſt. We are only called

" hither upon either the general affairs of the kingdom or
" the ſpecial propoſitions of his majeſty, and therein but to
" deliberate and conſult, not to conclude. Without our
" privileges we ſhould fail to perform that duty. And
" can it be thought that in claiming them, in order that
" we may facilitate his majeſty's reſolutions and eaſe him
" in the conſideration, leaving the end ſtill to himſelf, in
" this can it be thought there is any diminution or de-
" rogation to regality?" This latter point he handled with earneſtneſs, ſupporting it by reaſon, by precedent, and by conſiderations of perſonal advantage to the king himſelf; all expreſſed with an unmiſgiving unaffected ſincerity, never now to be read without pity and wonder at that madneſs of miſgovernment which drove into ultimate active reſiſtance to their princes men ſo ſimply and ſo profoundly loyal.

" It was held an incomparable wiſdom in Henry the
" third, when, after many agitations and turns of ſtate,
" wherein he had involved himſelf by other ways, he at laſt
" applied himſelf to the parliament and made that his
" counſellor. Therein he loſt neither authority nor repu-
" tation; for both his eſtate and dignity were before
" engaged to ſuch low conditions, as I fear to ſpeak of.
" By this, however, he not only recovered that again, but
" gained ſo much upon the affections of his people and in
" the opinion of others, as there was nothing wanting
" to him, either with ſtrangers or at home, of what he could
" deſire. In the hearts of his ſubjects, he had ſo much
" as they voluntarily offered, or more than he did need.
" In the account of others, he was after held ſo ſingular as
" his government was a pattern. What he referred to the
" parliament, was not loſt to himſelf; but all the wiſdom
" and judgment expreſſed there became merely his. *Our*
" *whole ſtory ſeems but a continual inſtance of this.* Our
" acts of parliament have ever expreſſed the wiſdom and
" excellencies of our kings; for, whoſeſoever be the labor,
" the honor ſtill reflects on *them*, and the reputation only

" bears their names. And the advantages otherwiſe which " the kings of this land have received by parliaments, are " ſuch as they ſhould not be forgotten. Beſides the " infinite ſubventions and contributions granted here, " the fines and mulcts impoſed upon great officers and " delinquents (I am ſorry I ſhould bring theſe two ſo near " together), their fines, I ſay, that have been queſtioned " in this place, have often enlarged the treaſures of our " ſovereigns. And it was a practice much uſed in former " times, when officers and great men were ſwollen with " corruption, to have them purged in parliament; that the " hate and envy might be taken from the prince, and yet " he receive the benefit of their puniſhment. And the ſub- " jects have been ſo much affected to ſee theſe ſponges " of the commonwealth ſqueezed into the king's coffers, " that, as it were in congratulation, they have offered for " themſelves when nothing hath been wanting. And " this methinks ſhould endear the credit of our par- " liaments, that they intrench not upon, but extend, the " power and honor of the king. The parliament is but " the repreſentative body of the kingdom by contraction " drawn into the centre; like the ſun taken thro' a glaſs " to inforce the ſtrength and heat of his reflection; and to " this form and ſtation it is not of itſelf that it is thus " moved and occaſioned. *Corpus jacet inerte et ceſſaturum* " *ſi nemo moveat*, ſay the philoſophers. The body is dull " and unapt where it hath not a ſpirit to move it. " Should not this ſpirit be in the heart, the king that hath " called us hither? Are not his graces the beams which " thro' this perſpective, the parliament, are to be derived " to the life and benefit of the ſubjects? How then can it " be imagined we ſhould attempt againſt him by whom we " are? The reaſon of ſympathy and participation, as well " in policy as nature, holds inviolable. What prejudice " or injury the king ſhall ſuffer, we muſt feel. He is to " us, as we are to the country, our very ſelf. He is the " repreſentative part, our principal part, by the judgment

" of all ancient and modern philoſophers. For the con-
" troverſy hath only been between the head and heart,
" and he is both. He is *vinculum per quod reſpublica*
" *coheret* (as Seneca calls him) *et ſpiritus vitalis quem*
" *hæc tot millia trahunt*. He is, in the metaphor, the
" breath of our noſtrils, and the bond by which we
" are tied one to another. Then can it *not* be we ſhould
" attempt againſt, or in anything neglect, the honor of
" him who is ſo much our own!"

Whence, then, had proceeded the miſtakes and miſ-interpretations by which they had all ſo greatly ſuffered? Eliot was prepared with an anſwer, and to ſome partial extent with a remedy. Tale-bearers to the king were ſitting in that houſe, and their powers of miſchief might be abridged by ſome general tie of ſecrecy, not to be broken without grave penalties. The power of ſecuring that their deliberations ſhould not be prematurely divulged, was wanting to no council but that. " More
" upon miſ-report," ſaid Eliot, " than the defects of any
" from theſe ſeats," turning from the benches occupied by himſelf and his friends to thoſe at the Speaker's right where the privy councillors ſat, " *moſt* upon miſ-report," he reſumed, " have been grounded the miſtakes that
" have been this way heretofore. We, I know," again glancing at his friends, " have made it ever our ſpecial
" propoſition, by all our labours and endeavours, to
" exalt and magnify the king, in whom conſiſts the glory
" and honor of the kingdom. But others have been
" active to ſow diſtruſt. With them reſts that ſpotted
" fame which hath diſperſed and ſcattered jealouſies,
" thro' the untimely delivery or report of thoſe things
" ſtill under debate, which are here conceived before they
" are brought forth. For, in the diſpute, all things are
" doubtful and uncertain; which, in the reſolution, con-
" clude happily and well. Being ſo taken before their
" times, they may eaſily fall into miſpriſion, and ſo
" cauſe their authors to be ſuſpected. Thus is it, I fear,"

continued Eliot, with touching and manly reference to the harſhneſs of Philips's impriſonment, "that ſome have "been heretofore traduced whoſe meanings were as far "from danger as outward happineſs hath been ſince "from them. I ſpeak it not in pity of their ſufferings, if "they have deſerved it; but in ſorrow for this place, "that had not credit enough to judge of itſelf, but muſt "give up its members to ſuffer from his majeſty's diſ-"pleaſure. To prevent ſuch future inconveniencies ſhould "be now our labour. Let us endeavour that we be not, "now, broken or interrupted in the ſucceſs of our at-"tempts. And let us watch, for the firſt, our own "private jealouſies and diſtractions. As the fault ſeems "to be mainly in ourſelves, ſo muſt be the remedy. "We can only ſafely provide it by ſome general tie or "obligation here, of truth and ſecrecy amongſt ourſelves. "In no council elſe, but this, is ſuch a ſecurity wanting. "Let us further appeal to his majeſty either to reject "the whiſpers of our enemies or no longer to believe "them. It is thoſe who fear our parliaments that traduce "them, and in the report deform the privileges of this "place according to their falſe intentions. Of himſelf "his majeſty cannot miſconceive us. He is wiſe; *et* "*omnis ſapiens eſt bonus*, ſaith the maſter of wiſdom. "Therefore I have no doubt but of himſelf his majeſty "will allow us all the privileges and liberties that may "advance our counſels; and to this end I could wiſh that "we might now ſpecially petition him, and with ſome re-"monſtrance in this point humbly deſire the continua-"tion of thoſe favors that our anceſtors have enjoyed."

With a becoming dignity and ſpirit Eliot cloſed. "I doubt not, when his majeſty ſhall truly weigh us and "our loyalties, and compare us with the former time, "but he will be pleaſed to grant what we now aſk. "Which, as it will beget confidence, ſo will it add diligence "to our endeavours both for the general good and his "majeſty's particular ſatisfaction. Without it the ſame

"hazards may follow us that before have been to "others. Let us be wiſe from others' ſuffering. Let "us take prudent counſel that it may not, after much "travail and time, be ſaid of us as it was of the ſailor, "who, when taken from his harbour and with contrary "winds and ſeas much toſſed in a long ſtorm, was en- "forced at length to put back again. *Non multum ille "navigavit ſed multum jactatus eſt.* Let not our epi- "taph be, that the trouble and danger incurred by us was "more than the profit of the journey." *

That a very great effect was produced upon the houſe generally by this ſpeech, there can be no queſtion; but to the ſuggeſtion with which it ended, that they ſhould then ſpecially take means for enſuring the continuance of thoſe favours their anceſtors had enjoyed, reſiſtance was offered by two diſtinguiſhed men who on previous occaſions had been moſt prominent in connection with the ſubject of privileges, and who now uſed ſuch language as to leave little doubt that Buckingham had privately communicated with them. Mr. Alford ſaid that "*when "time ſhould ſerve* he would concur with that gentleman" in his deſire to leave that place as free to their ſucceſſors, as their predeceſſors had to them; and the moſt proper courſe would in ſuch caſe be, to have a ſelect committee and draw an act declaratory, ſtating that theſe and theſe were our privileges, and petition for the royal aſſent. But Sir Robert Philips ſpoke altogether more decidedly. Expreſſing his gratitude to Eliot, he yet condemned his propoſal as ill-timed. He did not, he ſaid, that day expect ſuch a propoſition. Serious matters preſſed, and their meeting had been brought about by not much leſs than a miracle. With no irreverence, but in all earneſtneſs and good faith, the pious ſpeaker went on to ſay that the prince had been playing the part of the Son of Heaven by mediating between them and his father. In gratitude, they

* From the MS. ſpeech in Eliot's handwriting among his papers at Port Eliot.

were bound to govern the proceedings of that parliament wiſely and obediently. Nevertheleſs, Sir Edward Coke came to Eliot's reſcue, and having in effect ſupported what the other had ſaid, the matter reſulted in appointment of a committee "not above twelve" to take into deliberation the liberties and privileges of the houſe, and conſider of a way to maintain them in time to come.*

The feeling as to Buckingham, and the poſition aſſumed by the leaders in relation to him, were deciſively ſhown in the ſubject next brought forward. The Chancellor of the Exchequer reported the duke's account of the Spaniſh buſineſs as delivered on the previous Tueſday, with addition of the comment it had provoked from the Spaniſh ambaſſador, that ſuch diſhonour had been done to his royal maſter by the narrative as nothing but the head of the narrator could atone. And whereas, cried Philips ſcornfully, no other expiation will ſerve but the duke's head, yet ſhould he hope to ſee that head on its ſhoulders when many thouſands of *their* heads ſhould be—— "Clear "him, then, by unanimous vote! clear him," ſhouted honourable members; whereon old Coke took up the cry, and delighted the houſe with one of thoſe plays on words which made the prince ſay he never tired of hearing him, he ſo mixed mirth with wiſdom! "And ſhall he loſe "his head? Never any man deſerved better of his country "and king: and ſhall he loſe his head? What! is the "Spaniard Mundimarre whom we thought Gondomar?" A general vote ſtraightway acquitted the duke of all blame, and declared his Spaniſh narrative to have merited, from that houſe and the commonwealth, a great deal of thanks. When the poor king received this vote, he was ſorely troubled between vexation at the duke's popularity, and dread of giving utterance to it. Eliot had taken no direct part in the reſolution, but he was one of the deputation that carried it to James. His poſition was unuſual

* *Commons Journals* i. 719–720.

and exceptional; for he was known as one with whom the duke was ſtill nearly connected in official buſineſs, and had been formerly on terms of intimate intercourſe, yet he was the only prominent member of the country party who held his courſe, at preſent, in manifeſt independence of the engagements which to ſome extent appear to have fettered all the reſt.

Two days after theſe occurrences, Rudyard opened a debate on the two treaties, for the marriage and reſtoration of the Palatinate, in a ſtrong ſpeech for war. It was juſt the occaſion for Rudyard's effective interpoſition. His eloquence gave him a poſition with the popular party in the houſe, and his place in the Wards gave him truſt and authority with the court. He had more than once been the *deus ex machinâ* to reconcile powers in conflict; and now that a union was to be declared, he interpoſed to confirm and cement it. Never had he taken ſo decided a tone. He was loudly for war. That was the only chance left. Proteſtantiſm appealed to them. Scattered and diſunited in Germany, ſupplanted in France, threatened in Holland, ſhe turned to them as to her laſt hope of ſuccour. The Low Countries were her outworks and barrier; and therein was lodged the jewel moſt precious to Engliſhmen, the eldeſt daughter of England. Let them but make Ireland ſecure; and then, by a war of diverſion againſt Spain, they might relieve the Low Countries, reunite Proteſtant Germany, and recover the Palatinate. To like effect ſpoke Philips and Sir Francis Seymour; the latter calling to mind, that in the very thick of theſe vaunted treaties, now crying out to be abandoned, Spain had turned out of doors their king's daughter and her children; and afterwards followed Coke, who declared that the very mention of war made him ſeven years younger. Never had they been ſo thriving as when at war with the arch-enemy of freedom. With their forces ready, Ireland ſecure, and the Low Countries aided, they need

not fear Turk, Pope, Devil, or Spaniſh king. Then roſe Sir John Eliot, and gave his voice alſo againſt the treaties, and for the "more manly Engliſh way." There had been ſpeaking enough, and better for them now to do than to ſpeak. Let them look to their forts and their fleet. At the laſt conference it had been ſignified to them that ſeveral of our ſhips were at preſent ſtayed in Spain. Let his majeſty be counſelled of the urgency of immediately providing a ſufficient fleet. War alone now could ſecure and repair them; and in ſuch a cauſe let them obtain the ſpecial funds required for additional ſhips, by enforcing arrears of penalties againſt recuſants.* Quite as much to diſpleaſe as to ſatisfy the court, muſt have preſented itſelf in this ſpeech; but Pym ſeconded the eloquent vice-admiral, and an addreſs to the king was unanimouſly voted adviſing him to declare both treaties broken.

Eliot went up alſo with the deputation that carried this addreſs to Theobald's; and it is noticeable that on their report to the houſe a few days after, oppoſition to any immediate deciſion on the king's reply came from Eliot. Mr. Recorder had declared his majeſty's addreſs to be of unequalled grace, and that their king was above all recorded kings in wiſdom and in ſpeech. The member for Newport nevertheleſs had his doubts. Since their return, he ſaid, ſtrange reports had given a different gloſs to paſſages in that gracious anſwer, and he would move to interpoſe ſome time ſo that all members might have copies, and opportunity for debating and treating of the things therein propounded.† In the end the houſe agreed, and ſuch was the courſe adopted.

The king was in truth become now ſo helpleſs in the hands of his ſon and the duke, that they had not only to vouch for what he ſaid, but to explain its meaning. When the advice for breaking the treaties was firſt carried

* *Commons Journals* i. 675. † *Ibid.* i. 679.

to him, he told the deputation he was very poor, and that if they drove him into war they must supply him largely. But he further told them that the money given should be spent by treasurers appointed by themselves, and that, though war and peace are the prerogative of kings, he should accept no peace without consulting them. However he also told them that whether he could in honour and conscience engage in war, must be a matter for himself alone to determine; and he again informed them that his exchequer was empty and his debts enormous. When both houses afterwards went up to him, he snubbed their spokesman, archbishop Abbot, for assuming him to be at last thoroughly sensible of the insincerity of the Spaniard; and he sent them away with the startling demand of seven hundred thousand pounds to begin the war with, and annual payment of a hundred and fifty thousand towards his debts. Amid all his ebbs and flows of agreement and discontent, to only one thing he steadily adhered.* If they were to

* A more curious contribution has seldom been made to history than the publication, in the *Hardwicke State Papers* (i. 399–472), of the correspondence between the king, prince, and favourite, during the Spanish journey, and before and after the assembling of this parliament. There is one letter of Buckingham's in which the dear dad and gossip's "most "humble slave and dog," as he subscribes himself, takes so bullying a tone, reveals so plainly the lengths he is prepared to go in his passionate spleen against Spain, and is at so little pains to conceal his secret compacts with the popular leaders in parliament, that it is almost a necessary illustration of my text. Its date is exactly at the time named therein. "I beseech "you to send me your plain and resolute answer, whether, if your people "so resolve to give you a royal assistance, as to the number of six subsidies "and fifteenths, with a promise after, in case of necessity, to assist you with "their lives and fortunes; whether then you will not accept it, and their "counsel to break the match with the other treaties; and whether or "no, to bring them to this, *I may not assure some of them underhand*; "because it is feared that when your turns are served, you will not call "them together again to reform abuses, grievances, and the making of "good laws, for the good government of the country: That you will be "so far from that, that you will rather weary them with it, desiring nothing "more than their loves and happiness, in which your own is included. "Sir, I beseech you think seriously of this, and resolve once constantly to "run one way. For so long as you waver between the Spaniards and your "subjects, to make your advantage of both, you are sure to do it with "neither." *Hardwicke*, i. 466.

take his power, he would have their money; and this led to ſundry debates and conferences for a more preciſe ſettlement of terms, in all of which Eliot took active part. He was one of a committee with the lords "on "his majeſty's eſtate," to which, after conference on the 11th March, the Lord Treaſurer ſent aſſurance next day of "his majeſty's reſolution to call parliaments oft, to "make good laws, and redreſs public grievances."* But that was not the explanation wanted. "We had no "doubt here yeſterday, as among the lords," was the anſwer. The king's "particular debts" were a thing apart from the neceſſities of the war. They would be in no fit ſtate to relieve *them*, till they had enabled the ſubjects to do it by relieving their grievances. At laſt the prince and duke had to interfere with aſſurance that a ſmaller ſum would ſuffice than had been aſked, and with explanations on other points.† "Only let my "father get his ſword out," ſaid Charles, ſoftly, to thoſe about him. "It is a long one, and he'll not find it eaſy "to get it in again."‡

The poſition of Eliot at this time, as I have ſaid, was in every way ſtriking. Though not practiſed in debate, he was already not only a leading ſpeaker, but accepted as mediator between two ſections of what were called the country members; thoſe who had "undertaken" for the manageability of the commons on certain conditions obtained from Buckingham, and thoſe who reſented all ſuch undertaking upon doubt of its expediency or of the ſincerity of the parties to it. The houſe had manifeſtly been impreſſed by the practical turn of all the ſpeeches he had made; by his courageous and frank aſſertion of their privileges; by his choice of ſuch points of a ſubject in debate as his public experience in the naval

* *Commons Journals* 11th and 12th March 1623-4.

† See Ruſhworth i. 119-131. The whole of the account is worth ſtudy. The reader will obſerve the clear participation therein of the prince as well as the duke (p. 125). See alſo Hardwicke's State Papers i. 467.

‡ S. P. O. MS. 17th March 1623-4.

administration gave him most authority to treat; even by the known facts of his old connection with Buckingham; and, besides his power of eloquent expression, by his business-like decision of tone. But his ability as a speaker, pre-eminent as it was, would never so quickly have obtained for him this position, if the independence so constantly denied to him in later time, had not been unreservedly conceded to him by his contemporaries; and it was the fact of his being able honestly to combine with it so ardent an advocacy of the war as to become practically the most efficient supporter as well of the "undertakers" as of Buckingham, which gave him so important a place in the present deliberations. What Mr. Chamberlain wrote to Sir Dudley Carleton at the moment these matters were in progress, will make it still more intelligible. "Divers speeches and answers from "the king have had need of interpretations and ex- "planations, which nevertheless are not so satisfactory "but that scruples remain; and they are so wary and "cautious on all sides as if they were to treat with "enemies, and in danger to be overreached. Where "the fault now is I know not, but they are very "suspicious. Neither will they be led away by Sir "Edwin Sandys, Sir Dudley Digges, and Sir Robert "Philips, for they have so little credit among them, that, "though they speak well and to the purpose sometimes, "yet it is not so well taken at their hands; for still they "suspect them to be favourites, *and hold them for under-* "*takers.*"* Among men so suspicious, and with such grounds for suspicion, it behoved all to walk warily; and Eliot, whose antecedents were known, and of whose recent imprisonment none could be ignorant, was

* State Paper Office, MS. Chamberlain to Carleton, 20th March, 1623-4. The letter has been printed from a transcript by Dr. Birch. (*The Court and Times of James the First*), 1848, a book so incorrectly printed, that no quotation can be safely made on its sole authority. The same remark applies to the companion volume on Charles the First's reign.

the laſt to have eſcaped queſtion, if ſuch had been poſſible.

He did not ſcruple indeed directly to invite attack, if it could with any fairneſs have been made. The occurrence was trivial in itſelf, but is of value as an illuſtration; becauſe the remark it drew from him he could hardly have hazarded, if his own poſition had been one of perſonal dependence or political ſubſerviency. He was active in all the committees revived from the laſt parliament for inveſtigation of complaints againſt the mal-adminiſtration of the various courts of juſtice. Among the petitions preſented in conſequence of theſe committees, was one from the wife of a perſon named Grys, complaining of wrongs ſhe had ſuffered from the court of chancery, and appealing againſt the long delays of that court. To this petition, however, which Sir Robert Philips ſpecially reported to the houſe, Sir Edward Coke objected; telling the houſe that the woman was half diſtracted; that the wrong ſhe complained of occurred in "Egerton's time;" that he was now gone; and that it was unuſual to complain againſt the dead. But after ſome diſcuſſion it was reſolved that the grievance in queſtion, with others, ſhould be argued by counſel before a ſub-committee; and this ſub-committee was about to be choſen, when Sir John Eliot interpoſed. He warned them to be careful in their choice, for he knew of what importance it was that the "cries "of the vexed ſubject" ſhould be heard by unbiaſſed men. He deſired them to "have a ſpecial care" that its members ſhould "have no dependence upon men in "place." He ſuggeſted further that it would be better to have no lawyers upon it; that it were more juſt to "have "countrymen, that have no dependence."* There are probably not many who will think theſe words likely to have been ſpoken by one who laboured himſelf

* *Commons Journals* i. 739. (17th March.)

under the odium of what they ſo earneſtly condemn. Not on that occaſion, nor any other, did his opponents hint at ſuch a charge. I find the patriotic old lawyer replying to this earneſt appeal, with a ſtatement of "great inconvenience by having ſuch a ſub-committee," and an entreaty to "have it well conſidered of:"—but no reproach to Eliot. It will occur to me hereafter to ſhow, explicitly, what kind of character his relations with Buckingham were now ſlowly aſſuming; but for the preſent theſe indications mark it ſufficiently.

Shortly after that friendly encounter with the famous ex-chief juſtice, Eliot had occaſion to deliver himſelf, upon diſcuſſion of a private bill, in a manner yet more characteriſtic of the opinion he had formed both as to law and lawyers. A ſuit called "Duncombe's caſe" had cauſed great excitement in the courts. The law of England appeared to have ſettled that the rights of a ſon born in wedlock, though the mother was ſo living at the time that the huſband could not for a period of more than two years have had acceſs to her, were indefeaſible; and a bill had been introduced for diſinheriſon of this ſuppoſed but ſpurious ſon. Eliot ſupported it with his utmoſt warmth and vivacity of manner.*

"Mr. Speaker," he ſaid, "though the letter of the "law, by the judgment of theſe lawyers cited, does "approve it, the reaſon of the law (and all law was firſt "grounded upon reaſon) does deny it. Can a man "beget a child that never yet knew woman? Or can "that man be father that never got a child? Surely, "whatever the law may ſay in determination of this "point, whatever may be ſuggeſted by the lawyers, both "reaſon and nature are againſt it. In this caſe I had "far rather truſt the judgment of phyſicians than of the

* No trace of the ſpeech I am about to give has yet found its way into print. The notes of the ſpeech, with a memorandum of the occaſion on which it was ſpoken in the houſe, are among the Port Eliot manuſcripts.

"law. I know what will be ſaid: not that law would "affirm it, but only for certain ſecrets would ſuppoſe it, "and ſo by admiſſion in particulars make a concluſion for "the general. A huſband, having been within ſuch a "diſtance in ſuch a time, *may* have had acceſs unto his "wife, and ſo have begotten her with child. Therefore, "not becauſe of the individuals in this caſe but of the "generals, he ſhall father it. To which I anſwer, that in "this particular caſe the maſters of the law themſelves "will anſwer No, unleſs he have lain with her; unleſs he "have known her in ſuch time as is naturall for women "to go with child. *Ponere impoſſibile abſurdum eſt.* "To ſuppoſe an impoſſibility is not worthy of the law; "and this man, that has not known his wife, that has not "ſeen her within two years' ſpace and more, can be no "more adjudged the father of the child in queſtion than "the language in which that law was written (if ſuch "there be) may be eſteemed the primitive tongue."

With much point and humour Eliot added: "But per-"chance it will be ſaid the law in this caſe does diſpenſe "with reaſon, and aſſume a property in itſelf to make this "lawful. Sure I am, however, that herein neither reaſon or "nature can ſo diſpenſe with the law. That were to give "it a power the pope pretends to, to legitimate or other-"wiſe at pleaſure: wherein, beſides the prejudice of his "holineſs, what inconveniences would elſe follow I ſhall "leave it to your judgments. Let us all here, Sir, reflect "upon it. We are here in this ſervice for our counties "or the like. We may be continued here a long time; "and we have wives and eſtates at home." We may imagine the laughter and cries of aſſent that interrupted Eliot at this home-thruſt. With a quiet dignity he re-ſumed and cloſed his ſpeech. "I take no pleaſure in this "diſpute, nor am willing to ſearch too far the myſteries "of the law. Our fathers might have errors, as our-"ſelves; and where there is error in the man, there may "be error in his works. But as I have always thought the

"law was grounded upon reaſon, I ſhall ſtill believe ſo; "and, with the conſent of the lawyers in this point, I ſhall "likewiſe be confirmed in that opinion which I have ever "had of their deſervings. But to be taken with a word, "becauſe they ſpeak it; or to believe that law, which is "not reaſon; I muſt crave pardon for my ignorance. "Their eloquence cannot lead me!" The reſult was that the bill paſſed.

Two days after that incident the debate on ſupply began, and in the courſe of it Coke explained to the houſe that if the entire demand made by his majeſty were complied with, it would, taken with the hundred thouſand pounds already promiſed in a ſingle ſubſidy and fifteenth (a ſubſidy being ſeventy thouſand and a fifteenth thirty thouſand pounds), and with the twenty thouſand offered as ſubſidy from the clergy, amount to no leſs a ſum than nine hundred thouſand pounds. "Almoſt a million!" cried Coke; "more than all England could ever raiſe with "any conveniency!" His propoſition therefore was to divide this ſum into three parts, and to vote only the firſt three hundred thouſand for the preſent; which, in order that all the burden ſhould at firſt be laid on the wealthier ſort, he would raiſe wholly by ſubſidies, without fifteens. Some were nevertheleſs for at once voting all. Old Sir John Savile of Yorkſhire, who took active part in the diſcuſſion, would have had it referred to a committee;* but this, though ſupported by Mallory,

* This propoſition for an adjournment (for ſuch it would practically have been) was ſo violently reſiſted, that (as I find from a report in the Harl. MSS.) Sir Dudley Digges had to interpoſe with the remark that "it was the "old faſhion of parliament, if a man ſpake abſurdly or diſtaſtefully, not to "cry him down, but for him to be anſwered or checked:" whereupon Mr. Selden, famous already for his *Titles* and *Tithes*, and whom Lancaſter had ſent for the firſt time to parliament, made his maiden ſpeech. "I will not ſpeak "to the great matter in hand," he ſaid, "nor to the orders of the houſe, being "ſo young a parliament man, but yet I have been no ſtranger to the journals "of either houſe, and have found that the pettieſt buſineſs hath not been "ſo precipitated." He was favourable to adjournment, but his argument was not found. The pettieſt buſineſs might for that reaſon admit of delay, when the moſt grave did not.

Alford, and Seymour, who doubted if the people *could* give ſo much, was overruled. Sir James Perrot thought the entire ſum would be inſupportable, unleſs moderated by the time and manner of the levying. Mr. Pym did not object to the amount, but a limitation as to time was neceſſary, for the eaſe of the ſubject. Sir Henry Anderſon of the north deſcanted ſtrongly on the danger of not giving. What the vice-admiral of Devon had recommended, on the addreſs, he would now repeat. Let them ſhut the back door, throw up at once their wooden walls, and give ſuccour to their beſt friends: in other words, ſecure Ireland, raiſe ſpeedily a fleet, and help the Proteſtants of Bohemia. In effect the vote was ultimately what Coke had ſuggeſted; but, upon objection from the Solicitor-General, who thought it a dangerous example in ſuch a caſe to omit fifteens, it was taken in the form of three ſubſidies and three fifteens to be paid in one year, with conditional pledge for more when more ſhould be indiſpenſable.

Eliot ſpoke early in the debate, and with an effect that contributed to the immediate deciſion. He was againſt delay. He was for as much as could be voted then, and for all when the time ſhould admit of it. Much needed to be done for the ports and harbours, which for the moſt part were defenceleſs. Let them not vote grudgingly. All that there preſented itſelf for conſideration lay within a narrow ſtrait. On the one ſide were preſent neceſſities, on the other future inconveniences; and of the evils it was their duty to chooſe the leaſt. He had himſelf been much dejected, at firſt, becauſe of his majeſty's anſwer. But thoſe miſgivings had ſince been reſolved by the prince his highneſs [Buckingham he named not, nor referred to]. That wrongs had been committed by the treaties, no one could doubt. The extent was too apparent to which they had prejudiced England. Nor was it any real force or power in Spain that had done it. *Non tam*

potentia ſua, quam negligentia noſtra. Let them now repair the wrong. The inclination and diſpoſition of the king they all knew. Their common intereſts were at hazard, their friends at pawn, their religion at ſtake. He would have them ſtrain at once, to be made ſafe for once and all. "Are we indeed poor?" cried Eliot. "Be it ſo. Spain is rich. We will make *that* our "Indies. Break with her, and we ſhall break with our "neceſſities alſo." But above all, let their deciſion be ſpeedy, or their very intention might turn againſt them. Such was the impreſſion on Eliot's reſuming his ſeat, that Mr. Treaſurer thought it right to ſtate his objection, at that time, to ſpeeches of which the object was "to ſtir "up our affections."

Certainly there was ſmall need of excitement, either within or without. Quite unexampled was the popular feeling that broke forth when the voting of the ſupplies became known. Not till then, it would ſeem, had the common people truſted themſelves to believe that the intentions againſt Spain were real. Bonfires were made thick to the very gates and doorways of the Spaniſh embaſſy.* All the world in the city ran in debt for faggots and gallons of wine. The Spaniards connected with the embaſſy were everywhere inſulted, to the great joy and exultation, as the ariſtocratic Wentworth phraſed it, of the coblers and other bigots and zealous brethren of the town.† One of their friends brought it before the houſe next day. Well then, ſaid Sir Robert Philips, let the people be puniſhed. Better

* Laud records them characteriſtically in his Diary: "March 23, Tueſ-"day. That afternoon the king declared to the committee, that he would "ſend a meſſenger preſently into Spain, to ſignify to that king that his "parliament adviſed him to break off the treaties of the Match and the "Palatinate, and to give his reaſons of it; and ſo proceed to recover the "Palatinate as he might. Bonfires made in the city by the forwardneſs of "the people, for joy that we ſhould break with Spain. *O quoties tenuit me "illud.* Pſalm lxviii. 30. *Diſſipa gentes, quæ bella volunt*: ſed ſpero quia "coacti."

† *Strafford Letters* i. 21. Wentworth to Wandesforde.

make inquiry, ſaid Eliot. Coke had his doubts. Mr. Maynard proteſted he had walked up and down the ſtreets from eight to ten the previous night, and ſaw nothing but enjoyment, no diſorder. The matter had better reſt where it was, for it was probably a fiction. And ſo it was left.

But at court itſelf things were now little better than among the coblers, bigots, and other zealous brethren. All the fine leſſons of Caſtilian, learned while the prince was in Madrid, had been unlearned on his return with a mighty rapidity. Sir George Goring was a model courtier; and he could not now expreſs better his devotion to a patron than by wiſhing that, if he failed to ſerve him, the hotteſt Spaniard, ſurfeited with raw bull's fleſh and garlick, might ſpit in his face.* Our courtiers that were in Spain, wrote Chamberlain to Carleton, "begin now "to open their mouths and ſpeak of where they found "nothing but proud beggary; coarſe uſage and entertain-"ment, beſides all other diſcourteſy." In no leſs a degree was the poor king driven to change *his* tone alſo, at the bidding of his unpitying taſk-maſters; and he who, but eighteen months ago, had declared himſelf, as an old and experienced king, free and able to puniſh any man's miſdemeanours in parliament, was now fain to tell the Spaniſh ambaſſador, through his ſecretaries, upon perſonal complaint of the language of Eliot and other members of the commons, that the houſe was an aſſembly of the chief gentlemen of the kingdom, and that freedom of ſpeech was their hereditary privilege.†

One more incident of ſome importance occurred in the matter of ſupply. Upon the report of Sir Edwin Sandys from a conference with the lords, on the 1ſt of April, a recommendation was made for anticipation of the ſubſidies by an immediate loan, on the ground of the

* S. P. O. (MS.) Goring to Carleton. 31ſt October 1623.

† S. P. O. (MS.) March 1623-4. The matter had been referred to Calvert and Conway.

preſſing urgency of at once ſetting forth a fleet. Intelligence had been received of as great a navy in preparation in Spain as in 1588; and that, at Dunkirk, a great many flat-bottomed boats were in readineſs to land men. And for all this preparation the only pretence urged hitherto had been, the journey of the infanta. Philips hereupon adverted to the thinneſs of the houſe, and ſuggeſted a day's delay for ſo weighty a propoſition. Eliot did not reſiſt this, but added his teſtimony to that of Sandys and the Solicitor-General upon the great importance of the ſubject. The intelligence had been conveyed, he ſaid, in letters to the lord high admiral, of which he had that morning had ſight. The debate ought to be taken early next day. The ſeaſon of the year required haſte. The vice-admiral had doubtleſs been called to ſudden council at the admiralty upon the courſe to be purſued.

On the 24th of the ſame month the money voted was ordered, on the motion of Eliot, to be paid into the chamber of the city of London; and the proceedings on the ſubſidy bills were cloſed by a further ſpeech from the vice-admiral propoſing thanks "to the prince, "the king, and God for the happy reſult of their "deliberations. He would have a meſſage of thanks to "the prince, to deſire him to be our mouth of thanks to "the king, and to intreat him there may be throughout "the kingdom a general thankſgiving to God."* *Wondrous fine* this ſpeech is ſaid to have been,† but it has periſhed.

Before quitting this branch of the labours of the parliament ſo brought to a cloſe, it is right that a few words ſhould be ſaid as to the condition propoſed by the king and accepted by the houſe, that, in order to inſure the application of the money to the purpoſes of the war for which it was raiſed, it ſhould be

* *Commons Journals* i. 690.

† S. P. O. (MS.) Netherſole to Carleton. 25th April, 1624.

paid into the hands of commiſſioners appointed by the commons, who ſhould ſuperintend its receipt and diſburſement. Writers of authority have called this "unprecedented;"* but the remark ſeems founded on a miſapprehenſion of the drift of the propoſal. The king reſerved to himſelf the direction of the war, and determination of the ſpecial objects for which diſburſements were to be made; but detailed accounts were to be placed before the houſe by its own commiſſioners, acting for the time as treaſurers to the king, and reſponſible againſt any expenditure other than for the purpoſes of the war. The origin of the propoſal, in ſhort, which has been overlooked, explains its intention. It was to guard againſt the firſt ſuggeſtion of the king, ſo diſtaſteful to Eliot and the reſt, that they ſhould conſider his private debts in their vote. A pity that full effect could not have been given to a principle ſo excellent, and that the expenditure of the kingdom could not then have been ſeparated, once and for ever, from the debts and expenditure of the king. Much after miſery and loſs might ſo have been prevented. It is much to the purpoſe to add, however, that theſe commiſſioners were bound to have regard to the ſpecific and defined object to which hoſtilities were to be reſtricted; and in the event of this being over-paſſed or evaded, the further condition for

* Hume declares it to have been "unuſual in an Engliſh monarch" (v. 18), and Dr. Lingard ſtyles it as a conceſſion which transferred to the houſes of parliament a branch of the executive authority (*Hiſt.* vii. 130). But if the practice had then become "unuſual," it was common at a former period of Engliſh hiſtory; and Brodie (*Hiſt. of Britiſh Empire*, ii. 39) has given ſome examples. The exact language employed by the king, however, ſeems to me to have been ſtrangely overlooked by the hiſtorians. The keeneſt ſtickler for prerogative might think that James guarded his rights ſufficiently in the ſubjoined ſentences: "I deſire you to underſtand, that I muſt have a "faithful ſecret council of war, which muſt not be ordered by a multitude, for "ſo my deſigns may be diſcovered before hand. One penny of this money "ſhall not be beſtowed but in ſight of your committees; but whether I ſhall "ſend 2,000 or 10,000, whether by ſea or by land, eaſt or weſt, by diverſion "or otherwiſe, by invaſion upon the Bavarian or the emperor, you muſt "leave that to your king."

additional ſubſidies was void. The object was to be the recovery of the Palatinate. What had heretofore been ſought by treaty was now to be achieved by war; and as the Spaniard was believed to be inextricably pledged to aſſiſt in withholding that territory from its lawful owner, war was to be made with Spain. It will be ſeen hereafter how far theſe terms were kept; in what manner the conduct of the war correſponded with its origin and motive; and to what extent Eliot was juſtified in the views on which he afterwards acted in oppoſition to Buckingham and Charles.

VII. Prorogation and Diſſolution.

But now, the war queſtion diſpoſed of, the houſe had breathing-time for ſubjects not inferior in importance, and did not omit the opportunity. Before mentioning theſe, however, Eliot's ſhare in what may be called its ordinary buſineſs ſhould briefly be adverted to. His name conſtantly recurs in the journals; and his attendance in committees appears to have been as unremitting as his participation in the buſineſs of debate. Queſtions of legal reform,* diſputed points of univerſity privileges, more equitable ſettlement of crown lands, are ſubjects in which he was prominent; and, with Coke, Philips, and Giles, he was repeatedly aſſociated in carrying Corniſh private bills. In the majority of the conferences with the lords, he acted as one of the managers; and we have ſeen with what jealouſy he oppoſed, even againſt the popular members in communication with Buckingham, a relaxation of the privileges of the lower houſe, or an attempt

* *Commons Journals, paſſim.* In the queſtions affecting Wadham and Magdalen colleges he appeared very frequently. Often he ſuggeſts (as i. 684) the proper action of a committee, and practical ſolution of ſome difficulty in proceeding. Not ſeldom he is oppoſed in view, even in matters of no ſtriking public concern, to Wentworth; as in a queſtion affecting the lands of the Hertford family, which he oppoſed (10th March) on the ground that "as informed theſe lands are entailed upon the crown."

to put in abeyance any conſtitutional uſage. So, when the miniſters propoſed, through Sir Guy Palmes, to have a bill drawn for continuance over to next ſeſſion, in ſtatu quo, of all bills in progreſs, that ſo they might "huſband time" (and at any time have excuſe for prorogation), the name of Eliot, in connection with thoſe of Coke, Philips, and Digges, was found ſucceſsfully oppoſed to it. Monopolies of every kind had a ſtrenuous and unceaſing opponent in him; and he never tired of reminding the houſe of the petitions (thoſe "ſtinging "petitions" as the king bitterly called them) "not to be "forgotten againſt recuſants:" but he never preſſed harſhly againſt an offender. A kind heart came in reſcue of the ſtrict ſeverities of judgment. When Sir John Savile and others of the popular party puſhed hard againſt the under-ſheriff of Cambridge for an irregularity at the election, Eliot humanely interceded; ſuggeſting that the cuſtody already undergone, and the expenſes incurred, were puniſhment enough. Coke ſeconded him; and "diſmiſſal with a check" was all that befell the under-ſheriff.

To the proſecution and puniſhment of a more important culprit which made this parliament memorable, Eliot, though not one of the managers, nor taking any early prominent part, beyond acting occaſionally on the committees that conducted the preliminary inquiries, contributed at the cloſe of the proceedings a brief but powerful ſpeech. The ſacrifice of the lord treaſurer Middleſex to the juſt reſentment of the popular leaders, had formed, there is no doubt, a principal item of the negotiation with the favourite that preceded the opening of the ſeſſion.* Eliot was no party to that negotia-

* See the proceedings in the *Parl. Hiſt.* Even Carte thinks him to have been clearly guilty; and Nicholas Ferrar, a very conſcientious perſon, was certainly one of his ardent accuſers. Clarendon, Hacket, and others, believe him to have been ſacrificed to Buckingham's reſentment. For the committees of inquiry in which Eliot acted on the impeachment with

tion, and may have been reluctant in the firſt inſtance to take prominent place in a tranſaction directly reſulting from it. Without implying the remoteſt doubt of the lord treaſurer's guilt, as to which the line he took on queſtions incidental to it ſhowed prominently his ſtrong belief, this abſtaining from any active interference in the early ſtages of the impeachment may have implied ſome miſgiving as to the propriety of motive which impelled the proceeding at the particular time. That Lord Middleſex had been extortionate, had taken bribes, and committed malverſation in his office, was as little queſtionable as that Buckingham gave him up to his proſecutors for none of theſe reaſons. As he had raiſed Cranfield from obſcurity for ſervile compliances, he was now hunting Middleſex to diſgrace for having kicked at his patron. Williams himſelf only eſcaped the ſame doom by more ſupple and agile ſubmiſſion.* In vain the ſhrewd old king remonſtrated. "By God, Steenie, "you are a fool; you are making a rod for your own "breech!" To no effect did he tell both houſes that the lord chancellor's impeachment in the previous parliament was no precedent againſt a great officer of the ſtate who denied the guilt charged againſt him, ſeeing

Sandys, Digges, Philips, Wentworth, Pym, &c., ſee *Journals*, April 12, 1624, &c. &c.

* See letter of Williams to Buckingham, 27th April 1624 (S. P. O. MS.) in which he has, with great opportuneneſs, a ſudden fever; deſires a ſubſtitute as ſpeaker of the lords; and proteſts himſelf weary of this unthankful world, which he would not regret to leave, but from his wiſh to ſerve "ſo good a maſter, ſo ſweet a prince, and ſo faithful a "friend and patron." Poor Middleſex was not leſs diſpoſed to make *his* ſubmiſſion, too, but it came too late. There is a piteous appeal from him to Buckingham, dated the 5th September 1624 (S. P. O. MS.) in which, grovelling at his feet, he tells him that he has had proof of his power. Don't utterly ruin me, he prays. He has paid dearly for his fault, he declares, and now grieves for his high and ſtiff carriage. By his hope of mercy he implores his grace—But his grace turned a cold ear, only not interfering with the crumbs of favour dropped by the king. Nevertheleſs, again the wretched ex-treaſurer wrote, on the 21ſt February 1624-5 (S. P. O. MS.), to tell my lord duke his grace that he grieved far leſs at his own ruin, than at his eſtrangement, by miſinformation of villains, from the duke!

that the Lord St. Albans had confeſſed his. In vain he warned both his ſon and the duke that they would live to have their bellies full of parliamentary impeachments. The commons were ſuffered to proceed, and they did ſo with an effect that was memorable. It was no longer poſſible for Eliot not to take final part, when, the caſe being proved in all its aggravation, attempts were made to exempt the offender, by very reaſon of the magnitude of his offence, from the due puniſhment that ſhould attend it. For this he had reſerved himſelf, and on this he ſpoke with a force and deciſion that contributed greatly to the reſult. The king had been correct in urging that the caſe of Bacon had been too feeble to eſtabliſh a precedent with any certainty. But now, the grand conſtitutional principle that had lain dormant for more than two centuries was put into rigorous practice; the guilt of the accuſed having been made manifeſt, his puniſhment was deliberately voted; and a vital parliamentary right was reſtored, beyond further chance of poſſible recall, againſt all future miniſters of the crown. "Oh! parliaments work wonderful things," cried Coke. "It was to no purpoſe my lord began to "caſt his circle and fall to his conjuring. Better he had "not left his ſhopboard!"

With ſomething of the ſame ſcornful and bitter alluſion to Cranfield's origin, Eliot put in contraſt the height to which he had ſprung, not by honourable ambition but by baſe and unworthy practice. "The par-"ticulars of this caſe," he ſaid, taking up the reference of a preceding ſpeaker, "and the career of the perſon "now in queſtion ſeem indeed like a mathematical expreſ-"ſion or deſcription of ſome ſtrange prodigious meteor, "new obſerved, of which the effects may ſooner be diſ-"covered than the reaſons. The original of ſuch bodies "being uncertain, their natures hidden, their operations "ſecret, and everything relating to them corrupt, they "beget rather aſtoniſhment than admiration, and (tho'

"they ſhine glorioufly for a while) threaten only ruin "and diſaſter. They are nothing but as they derive "from a higher than themſelves. Actuated only, and "ſet in motion, by the influence or attraction of the ſun, "their own matter and ſubſtance is an imperfect com "poſition of elements the very loweſt and the baſeſt. "By that great power drawn up from their own ſphere "to be refined, but by reaſon of their natural hardneſs "and reſiſtance becoming monſtrous in ſuch height, "their ends are too well known to be commended. I "am loth," continued Eliot, as if with ſudden recollection that his alluſions might be more widely applied, "to ſtrain this metaphor too far. I know, where "now I am, what the times are of which I am to "ſpeak. Neither ſhall I willingly detract from honor. "But I cannot impeach the ſincerity of mine own "conſcience, which I hope ſhall always render me, to "your opinions, worthy the ſervice of this place. The "greatneſs of the perſon whoſe cauſe is now in hand, "gives me the greater will to ſpeak that freely which all "men will imagine. Where there is fault, there ſhould be "puniſhment. The juſtice of this houſe is too perfect "and exact to decline to favour or reſpect. Reaſon does "herein lead me. Where offences are committed, the "greater the delinquent I muſt always deem the greater "the delict; becauſe ſuch ſin not only in themſelves but "are the cauſe of ſin in others, whoſe acts their great ex- "amples have miſled. I confeſs they are a happy thing, "great men and great officers if they be good, and one "of the greateſt bleſſings of a land: but power con- "verted into evil, as Tacitus notes in corrupt magiſtrates "and officers, is the greateſt curſe and cruelty can befal "it." Soon was that page of Tacitus to ſupply the ſpeaker with compariſons of other and loftier application, and of a meaning more terrible. He now ſimply cloſed with a plain and manly ſtatement of the opinion he had himſelf formed.

"I ſhall not trouble you again with repetitions. "The enumeration of thoſe particulars that have been "charged and proved is needleſs: and the defence, "how weak it is you know. But upon all to give "you the ſentence of a true Engliſh heart, though with "much ſorrow and grief that any man ſhould ſo deſerve "it, I ſhall be bold to ſay of this great lord, how great "ſoever, that I hold him to be, by that which is already "known, which I am confident is the leaſt part of that "which he has done, unworthy the favor of his country, "unworthy the favor of his prince, unworthy the em- "ployments of either! And ſo I would have him tranſ- "mitted to the lords, from whom I doubt not but he ſhall "receive a judgment equal to his demerit."

The judgment he did receive was not inappropriate or unequal to the ſordid nature of the man. He was condemned to a fine of fifty thouſand pounds, to be impriſoned during pleaſure, and to be excluded from parliament and the verge of the court.*

James remitted as much of this puniſhment as he dared ſafely do; but there was no longer even the ſhow or maſk of a good underſtanding between him and the commons, though he was happily too deeply committed to be able to refuſe his aſſent to various bills which had been in progreſs all the ſeſſion, and above all to that ever famous bill revived from the previous parliament, aboliſhing monopolies for the ſale of merchandiſe, or for uſing any trade.

In promoting this enactment Eliot was prominent; and I have been ſo fortunate as to diſcover, among his

* "1624, May 13th, Thurſday. Lionel Earl of Middleſex, Lord Treaſurer of England, and Maſter of the Wards, cenſured in parliament for bribery "and extortion, and deceiving the king, &c. To loſe his offices. To be for "ever diſabled to bear any. Fined to the king in 50,000l. Impriſoned in the "Tower during the king's pleaſure. Never to ſit again as a peer in parlia- "ment. Not to come within the verge of the court." Laud's *Diary*. It was moved alſo, ſays Heylin, to degrade him from all titles of honour, but in that the biſhops ſtood his friends and daſht the motion. *Life*, 118.

papers, the notes of a ſpeech in relation to it, taking rank with his moſt maſterly efforts, in which he opens up the whole queſtion of impoſitions by prerogative. Still this all-important matter remained unſettled. Since the judgment of the exchequer in the merchant Bates's caſe, by which the judges affirmed the king's right to impoſe a duty of five ſhillings the hundredweight on currants over and above that of half a crown granted by the ſtatute of tonnage and poundage, heavy duties on every kind of merchandiſe had continued ſo to be impoſed; but from each ſucceſſive ſitting of parliament had iſſued the moſt determined remonſtrances againſt the aſſumed power, as ruinous to the ancient liberty of the kingdom, and to the ſubject's right of property in his lands and goods. Such remonſtrances, and bills prepared in accordance with them, had in effect led to the diſſolution of the two parliaments of 1610 and 1614, in the latter of which Eliot ſat; and the conſequences to commerce itſelf had been diſaſtrous in the extreme. The power which the king claimed for his prerogative, by the ſame aſſumed right he had extended to others; and out of the companies and individuals who had become the king's farmers in this matter, ſprang the miſchievous monopolies againſt which the bill was directed. But even theſe were not the worſt evils. Some of the exports moſt in demand had been diminiſhed more than half; many large traders had been beggared; and the merchant ſhipping of the country had fallen away to an alarming extent. All men out of the purlieus of the court ſaw the danger; but it was difficult to get ſome men, either without or within them, to ſee that the greateſt ſufferer after all was the king's revenue, which in a pre-eminent manner robbed *itſelf* by the means it took to plunder the king's ſubjects. Eliot's keen obſervation, while engaged in the duties of his vice-admiralty, had ſufficed to ſhow him this. The condition of thoſe great harbours of the weſt had daily revealed it to him. And

now, applying the experience with a knowledge reaching far beyond his time, he undertook to exhibit it to others. Nor could better proof than this ſpeech be given of the practical character of his mind, and of the manly ſenſe with which, rejecting aſſumptions and everything unreal, he applies to the judgment and diſcrimination of public affairs that which obviouſly has lain within the range of his own obſervation.

Impoſitions by prerogative, he began by telling the houſe bluntly, were as little agreeable with policy as with reaſon. Reaſon affected not the cries and exclamations of the people, nor policy the unſtrengthening of the ſtate; yet theſe did both, and were in effect a grievance to the people and a weakening of the ſtate. "But "what is more," he continued, "tho' I know it will "ſeem more ſtrange, they are *ex diametro* oppoſed to the "main point of their intention, the benefit of the king. "And when they ſhall be taken upon a juſt counterpoiſe "and weight, they will be likewiſe found unprofitable "to the impoſer, to him who hath obtained that mono-"poly: for however they carry a fair ſhow at firſt, and "for a while reliſh like all new things, in concluſion, "with that hyena's face, *they bite.*"

Eliot proceeded, after this ſtriking commencement, with reaſoning that, however far in advance of his time, could hardly have failed to produce a ſtrong effect, by the mere force of its plainneſs, and ſimplicity of ſtatement and illuſtration. That ſuch impoſitions were a grievance to the people, he ſaid, no man could doubt, if he conſidered that commodities which ought to be free received thereby ſuch a tax as made them cheaper to the ſeller and yet dearer to the buyer. Ofttimes were men thereby enforced to pay for their own labours. The country was ever complaining for that which is here at home; the merchant ever in need of that which comes from abroad; and all men in general were undergoing the kind of inconvenience which they ſooner feel than ſee. The ſyſtem was eating, not

only by itſelf, but by its accidents in the ſhape of exacting and extorting miniſters, into the heart and bowels of the kingdom. By detailed examples he then went on to ſhow that impoſitions and monopolies were a weakening to the ſtate by diminiſhing both the ſtrength and power which naturally it poſſeſſed. It might appear many ways. "Firſt, by diſheartening the ſubjects, and "making them not only leſs able but leſs affected; for "the rule is *poteſtas humana radicatur in voluntatibus "hominum.* Secondly, by impoveriſhing the ſubject and "leſſening his treaſures, which are the nerves and ſinews "of occaſion. For the gain to individuals is ſubſtituted "for good to the general. The treaſures brought in by "the merchant are not of his own; and he, being diſcou-"raged in his benefit by the great charge of trade, wholly "neglects it, or retires it to ſome ſpecial place or thing "that may ſatisfy his own particular without intention "of the common good. Of this we have had too much "and late experience. Thirdly, they are a manifeſt "weakening of the ſtate in the decay of our navy. For, "as the trade declines, the goodneſs and number of our "ſhips muſt needs impair; of thoſe ſhips which have "been heretofore ſo famous, which have been heretofore "ſo fearful to all our enemies, even with their name or "ſight obtaining victories. However of late they may "not have been ſo fortunate, the fault was not theirs. "They are ſtill that wooden wall that muſt defend us, "if there be cauſe, or the ancient oracle that ſo propheſied "for the Athenians will ſpeak us loſt! Methinks this "ſhould of itſelf, without more reaſon, ſufficiently diſ-"prove theſe impoſitions, and diſſuade their uſe."

But the eloquent vice-admiral had a more ſtartling argument in reſerve. "Yet with the favour of your "patience," he went on, "I will in the third place a little "further urge, in proof of my ſuppoſition that they are "likewiſe unprofitable to the impoſer. This may ſeem a "harder taſk; becauſe experience will not yield to reaſon,

"and for the moſt part we look but to the preſent, not "heeding what is to come or what hath paſt. Yet in "this if we will but conſult our memories, and view the "times before us, comparing them with thoſe former, and "then ſuffer our judgments to weigh with reaſon what is "like to follow by conſequence from both, I doubt not "but we ſhall derive ſomething to ſhow theſe impoſitions, "theſe fair-looking monſters, not upon all parts alike. "In the face I confeſs they are fair, and promiſe much. "They are a clear addition of a new income, where "nothing was before. They are a pure creation to thoſe "that are to have them. To them they ſeem at firſt as "growing out of nothing, being raiſed ſo inſenſibly as "they perceived it not. But they are as the rib taken "from the man's ſide, which did both weaken and deceive "him. So it is in theſe. When we have had time and "experience to view their back parts well, there we ſhall "find them altered. *Mulier formoſa ſuperne deſinit in "piſcem.*"

Eliot then, amid ſtrong aſſent and ſympathy from the powerful northern party, inſtanced the condition of the woollen cloth trade, their great ſtaple. Here the reſtriction on exports, met by correſponding prohibitions in the States of Holland and other countries, had operated moſt diſaſtrouſly throughout all the great cloth diſtricts of Yorkſhire and Lancaſhire. Nor leſs, Eliot now had undertaken to ſhow, had they proved diſaſtrous to the king's revenue. "Take any large trade," he ſaid, "and "conſider how it ſtood for its commodities before they "became ſeverally charged with impoſitions. Then "compare it with the preſent condition and ſtate it now "ſtands in, and you will find the ſmall increaſe to re-"venue that ſuch additions make. The trade of cloth "ſhall ſpeak it for the reſt. As it is the greateſt, it may "well deſerve moſt credit. Was the king's benefit ever "ſo much in that, now ſo heavily burdened, as when it "paid but the noble of the pack? Surely no! And

"thoſe that will, may ſee it both in the effect and reaſon. "For that eaſineſs made the merchant's benefit more, "while yet he ſold the cheaper. That it was which ſo "enlarged the vent beyond ſea, where now, for the "price, others under-creep us, and ſo foreſtall our mar-"kets. From 80,000 they have brought us down to "40,000 cloths a-year; and as it is in this ſo it is in all. "The greatneſs of the charges leſſening the merchant's "benefit, diſcourages him from trade, and makes him to "deſiſt, and every man ſo loſt to commerce is loſt to the "king. Projectors fatten upon individual loſs, but the "king and the ſtate are weakened. His majeſty derives "profit not from heavy duties on ſome, but cheapneſs in "all. The number it is that will ſupply his majeſty's "profit, if there be vent, and not only with advantage "outgo all projects in that particular, but with an in-"finite enriching to the whole kingdom, not only in the "commodities, but in the labours of our men, to make "them more induſtrious who now ſtand idle and do "devour us. The town of Amſterdam can give us good "teſtimony in this. There, as I am credibly informed, "their cuſtoms come to more than in all England, and "yet the proportion and rate not a third part of ours. "What is the cauſe of this? The eaſineſs of the charge. "It is that which does not only quicken their own but "draws other merchants thither. For, wherever the "merchants' benefit is moſt, there they reſort; and "eſpecially that nation whoſe inclination hither we may "eaſily diſcern. And would it not then be ſo with us "upon the like reaſon? Yes, and much more. Much "more; as we exceed in many opportunities and advan-"tages which they affect and ſtudy, but poſſeſs not. "Our harbours are more, our harbours are better, our "harbours are nearer in the courſe and way of trade. "And that which they fear there, the danger of an "enemy, in whoſe view they paſs into their own country, "our coaſt is free from. So that, abate the cuſtoms,

"and they will be ſoon drawn hither. Here they will "come to make their ſtaples; and herein his majeſty "ſhall not only gain by the multitude of exotic impor- "tations, but by the expectation of the ſame commodities "that will paſs hence to ſerve our neighbours. Their "example too, with the ſame reaſon, will likewiſe ſtir "our merchants; and this I conceive to be a clear "demonſtration of my third argument in proof of my "opinion."

Anything more convincing it would indeed be difficult to imagine than this plain and irrefragable ſtatement. Among the elaborate arguments againſt impoſitions and monopolies handed down to us, exhauſting the learning on one ſide and the other, this ſtands apart and alone. It goes at once to the root, and exhauſts the common ſenſe, of the matter. It was no part of Eliot's buſineſs here to diſcuſs the legality. The illegality of ſuch impoſitions had been repeatedly declared by parliament. His object was to ſhow that they had none of the effects even alleged or deſired by their promoters, and for this he had relied on what his own experience in the weſtern harbours revealed to him. He had ſeen the carrying trade almoſt periſh, and the pirate the only proſperous merchant of the ſea. But there was another conſideration he could not ſhut out, though apparently he had no wiſh on this occaſion to ſet it forth too prominently. The diſcontent of the people under theſe impoſitions was becoming every day more formidable; but with conſummate tact, as became the ſuppoſed preſent, however temporary, accord between the court and the country party, he contented himſelf by figuring it, and its dangers, under form of an hiſtorical anecdote.

"I am loth," he ſaid, "by inſtances to preſs it "further or to ſhow what bad effects almoſt in all "parts of Chriſtendom theſe new impoſings have had. "Germany, France, Italy, Spain, the Low Countries, all

"could ſpeak too much in this. Nor will I ſtay to "vouch the judgment of our elders, from whom I could "have good authority. Only one further reaſon I will "give you out of Fulgoſius;* and if you pleaſe to take "the ſtory, it will not be found impertinent. The "Genoeſe, ſometime ſubject to the Duke of Milan, "grieved at ſome great impoſition which he had laid "upon them. They ſent an orator to the duke to "entreat his favour and juſtice that the impoſition might "be laid down again. The orator, being come to "Milan, found the duke celebrating the feaſt of St. "John Baptiſt, which they there hold with ſuch great "ſolemnity as he could have no acceſs for the delivery "of his meſſage to the duke. But from Genoa having "been commanded to return a preſent anſwer, in the "ſtrait he invented a new rhetoric. Inſtead of an oration, "he ſent in a diſh of baſil and got it to be placed juſt "before the duke. The duke, ſeeing the herb, and "knowing it was not of common or ordinary uſe, en- "quired from whence it came; and hearing it was from "the Genoan orator, he inſtantly commanded him to "give the ſenſe of this novelty. The orator being "therefore brought to the preſence of the duke, know- "ing it concerned his deſires moſt ſhortly to be delivered, "told the duke by that ſymbol he expreſſed the nature "and condition of his people, with which it had great "reſemblance. For, being gently touched and handled, "it rendered an excellent ſmell; *at ſi tritum ſeu preſſum "ſit naribus moleſtum eſt.* The reaſon was there liked, "and the reſemblance, I believe, may hold with us. "Which, how it does conclude upon my arguments, I "leave it to your judgments. My endeavour has been "only to ſhow the inconveniences of theſe impoſitions, "in reſpect of uſe; and to prove that, being a grievance "to the people, a weakening to the ſtate, and not pro-

* For an account of this writer (Cardinal Frédéric Frégoſe, or Fulgoſe), ſee *Biographie Univerſelle*, xvi. 6.

"fitable to the impoſer, they are neither agreeable with "true policy or reaſon."

Eliot then in concluſion ſuggeſted the courſe which he held it deſirable that the propoſed legiſlation ſhould take, and practically theſe ſuggeſtions were made to form the baſis of the bill. "And now," he ſaid, "to draw "this to ſome concluſion fit for the preſent time, and to "give you my opinion what I conceive neceſſary to be "done. We are to conſider that in point of right, as "it has been often and long ſince in this place declared, "theſe impoſitions are not legal, and that, in fact and "uſe, they are inconvenient and full of prejudice; and "yet we are to have regard to the reputation they hold "in the revenues of his majeſty, and that our affections "may therein appear deſirous not to abridge or leſſen, "but rather to augment the profits of the crown. I "ſhall deſire, therefore, there may be a ſpecial collection "made of all impoſitions that are extant; that they may "be particularly weighed and conſidered in theſe ſeveral "importances and reſpects; and that ſuch as ſhall be "found and adjudged leſs dangerous in their conſequence, "may be paſt into an act and ſo made known and cer- "tain lawfully to continue. But that, in the ſame bill, "all others may be revoked, with a declaration for the "future that no impoſition more be laid but by the "general conſent of parliament, and that he that ſhall "counſel or collect them may be held for an enemy to "the ſtate. I hope this may give his majeſty ſatisfac- "tion that we deſire not to retrench his juſt profits "and revenues, and yet to preſerve the intereſts of the "ſubject freed from theſe great burdens and oppreſſions, "and preventing for the future ſuch kind of difficulties "and diſputes. To which end I deſire there may be a "committee appointed to prepare it and ſo to preſent it "to the houſe."

This was in effect what the bill did, in aboliſhing monopolies for the ſale of merchandiſe, or for uſing any

trade. The manner in which it was drawn up is eminently worthy of note. Its form was ſimply declaratory that ſuch monopolies were contrary to law and the known liberties of the people. The wording of this great ſtatute invited every man to take note that it enacted no new thing; that every ſubject of England had entire power to diſpoſe of his own actions, provided he did no injury to any of his fellow-ſubjects; and that no prerogative of the king, no power of any magiſtrate, nothing but the authority alone of laws, could reſtrain that otherwiſe unlimited freedom. The full proſecution of which noble principle, adds Hume, in remarking upon it, "into all its natural conſequences, has "at laſt, through many conteſts, produced that ſingular "and happy government which we enjoy at preſent." * Legiſlation had been ſilent in England for thirteen years when it thus found fitting voice once more. One ſubſidy bill had been the ſole contribution to the ſtatute book from the two preceding parliaments. But their long counſels which had been weather-bound, as Williams's racy and choice biographer expreſſes it, came to a quiet road, and their veſſel was lighted of ſtatutes which are of immortal memory.†

The ſame ingenious perſon, in relating how it was that his majeſty interpoſed no veto to the unloading of

* *Hiſt. of England*, v. 18. See alſo Lord Coke, on the ſubject of this great ſtatute, 3 *Inſtitutes*, 181.

† Hacket's (Biſhop of Lichfield) *Scrinia Reſerata* (Life of Archbiſhop Williams), i. 200. For an account of this book, which is quite a curioſity of literature, ſee my *Arreſt of the Five Members*, § ix. He goes on to ſay, in the paſſage juſt referred to, after the faſhion that makes his book, apart from its many prepoſterous ſtatements and opinions, extremely agreeable reading: "The voices all went one way, as a field of wheat is bended that 's blown "with a gentle gale, one and all." Hacket's reading among the poets (excepting always the heretic Milton) was large and various; and he had remembered here the *Philaſter* of Beaumont and Fletcher—

> . . . . "And the people,
> Againſt their nature, are all bent for him;
> And like a field of ſtanding corn, that 's moved
> With a ſtiff gale, their heads bow all one way."

the firſt precious freight, explains for us alſo, in another allegorical flight, his objection to let a ſecond come to land. "He let fall ſome flowers of his crown, that they "might gather them up; which indeed was no more "than *defluvium pennarum*, the moulting of ſome "feathers, after which the eagle would fly the better." Much to the old bird's diſcontentment and diſguſt, however, he ſaw daily other meaſures in hand of which the object could only be to clip his wings ſo abſolutely as that further flights might be marred altogether. Eſpecially there were proceedings for enforcement of penal ſtatutes againſt recuſants, and for depriving them of offices in the ſtate; and meanwhile there lurked concealed in corners of his palace, jeſuits and agents of Spain, ready with their leporous diſtilments for his ear upon any moment's abſence of the prince and duke. "See," ſaid Father Maeſtro,* "what the young duke, precipitate and "paſſionate, hath done. He hath brought enmity be-"tween two powerful kings; hath transferred the con-"ſideration of the Palatinate from the council to parlia-"ment, which he called together that the puritans might "help his plot; and now at length, in England, hath "made parliament more powerful than the king!" Vexed even more than humbled, James tried a momentary reſiſtance, but was ſoon brought back within the toils. "In obedience to your commands," wrote Buckingham,† "I will tell the houſe of parliament that "you have taken ſuch a fierce rheum and cough, as, "not knowing how you will be this night, you are not "yet able to appoint them a day of hearing; but I will "forbear to tell them that, notwithſtanding of your "cold, you were able to ſpeak with the King of Spain's "inſtruments, though not with your own ſubjects." Of courſe the houſe were received next day!

* S. P. O. (MS.) Dom. Cor. 3rd May, 1624. He is called Pedro, evidently a miſtake for Padre.

† *Hardwicke Papers* i. 460.

It is not neceſſary that I ſhould purſue further the humiliating ſtory through the intrigues and counter-intrigues of Buckingham, Williams, and the Spaniards.* Suffice it that the favourite remained triumphant; and that the king would not even have had permiſſion to get rid of the commons when he did, but for their awkward interference in a matter which the duke had become as ſuddenly intereſted in as James himſelf. The match with France was now under ſecret negotiation; and rumours of it having gone abroad, the houſe addreſſed the king in, what, with his favourite phraſe, he called

* The reader will find them told with rare humour and wit in Hacket's *Scrinia Reſerata* i. 195–197. See alſo the letters in the Cabala (Ed. 1663) pp. 13, 300, and 348. Hacket mentions incidentally the lord-keeper's mode of obtaining ſecret information for uſe againſt the Spaniards, and, apart from the ſpecial intrigues it relates to, the paſſage is worth quoting for its illuſtration both of the man and the time. He introduces the matter by ſaying that "the lord-keeper ſpared not for coſt, to purchaſe the moſt "certain intelligence of thoſe that were his fee'd penſioners of every hour's "occurrencies at court; and was wont to ſay *that no man could be a ſtateſ-"man without a great deal of money.*" He then ſubjoins particularsof a dialogue with the prince as related to him by the lord-keeper himſelf, in which that right reverend ſtateſman, with amuſing candour, tells Charles which of his "fee'd penſioners" it was that he had ſet as a ſpy upon the Spaniards. "Sir," ſays the keeper, "I will go on directly with you. "Another perhaps would bluſh when I tell you with what heifer I plow; "but knowing mine innocency, the worſt that can happen is to expoſe "myſelf to be laugh'd at. Your highneſs hath often ſeen the ſecretary "Don Franciſco Carondelet. He loves me, becauſe he is a ſcholar; for he "is archdeacon of Cambray. And ſometimes we are pleaſant together, "for he is a Walloon by birth, and not a Caſtilian. I have diſcover'd him "to be a wanton, and a ſervant to one of our Engliſh beauties, but above "all to one of that gentle craft in Mark-lane. A wit ſhe is, and one that "muſt be courted with news and occurrences at home and abroad, as well "as with gifts. I have a friend that hath brib'd her in my name, to ſend "me a faithful conveyance of ſuch tidings as her paramour Carondelet "brings to her. All that I inſtructed the duke in, came out of her chamber. "And ſhe hath well earn'd a piece of plate or two from me, and ſhall not "be unrecompenced for this ſervice about which your highneſs doth uſe me, "if the Drab can help me in it. Truly, Sir, this is my dark lanthorn, and "I am not aſham'd to inquire of a Dalilah to reſolve a riddle; for in my "ſtudies of divinity I have glean'd up this maxim, licet uti alieno peccato: "though the devil make her a ſinner, I may make good uſe of her ſin." "Yea," ſays the prince merrily, "do YOU deal in ſuch ware?" All which, it muſt be confeſſed, remembering that this ſtateſman was alſo a biſhop, is highly edifying.

a "ſtinging" * remonſtrance againſt conceſſions to any Roman-catholic court. The required pledge was outwardly given, and at the ſame moment ſecretly broken, entailing future miſery to all; † but it became clear notwithſtanding, that parliament, if allowed to ſit further, would dangerouſly obſtruct the intended alliance.

Notice of prorogation was given, therefore, for the 29th of May; and upon the commons going up to the king that day with intimation of the matters ſtill waiting deliberation and redreſs, the parting, to quote the account of it ſent to Carleton by Chamberlain, was with no more contentment than needed on either ſide. "The "king ſpared them not a bit for undertaking more "than belonged to them in many things; and for "anſwer to their grievances, which were preſented in two "very long and tedious ſcrolls, he ſaid that, having "peruſed them, he thanked God with all his heart they "were no worſe." ‡ And ſo the people's repreſentatives were diſmiſſed to their ſeveral ſhires, and Sir John Eliot returned to his official duties in the weſt.

That theſe duties kept him in cloſe communication with the admiralty during the few remaining months of the reign, there can be no queſtion. It is needleſs to add that James never met the two houſes again. They were prorogued, and again prorogued, from time to time, the French match meanwhile bringing itſelf to a concluſion; until at length a power higher than that of kings diſſolved them.

* Ruſhworth i. 140. Coke's Detection i. 185.

† When the lords (on the 6th of April) had dealt unſatisfactorily with a repreſentation from the commons on this ſubject, taking out of it all "words of auſterity," the prince openly declared in the houſe and bound it by an oath, that "whenſoever it ſhould pleaſe God to beſtow upon him "any lady that were Popiſh, ſhe ſhould have no further liberty but for her "own family, *and no advantage to the recuſants at home.*"

‡ S. P. O. (MS.) Dom. Cor. 5 June, 1624.

BOOK FOURTH.

SIR JOHN ELIOT AND THE DUKE OF BUCKINGHAM.

1624-1625. Æt. 34-35.

I. Intercourse with the Lord High Admiral.
II. Spanish Ships and Turkish Pirates.
III. Last Letters to the Duke of Buckingham.
IV. Mr. James Bagg; from the Life.

I. Intercourse with the Lord High Admiral.

THE vice-admiral of Devon was at Plymouth on the arrival of Count Mansfeldt in September, and took part in the necessary recruiting of men and ships consequent on that event. Difficult was the levy by press of soldiers and seamen, and incessant the labours of Eliot. Altogether it would seem that a force of about eighteen thousand men was raised; but their condition and equipment, and the manner in which they ultimately set forth from Dover, must have revealed to Eliot more vividly than anything heretofore shown in his experiences, the results of government by personal favour and intrigue, where security had never been taken for due discharge of any public service, and, with a profligate squandering of money on all sides, there was no provision of any kind for the commonest necessities of the state.

And as this first transaction in the war began, so was it carried to appropriate close. Wretched in equipment, and in conduct a mere depraved rabble, misery and disorder

followed wherever they went. They were refuſed land paſſage through France, and driven back to their overcrowded ſhips, where a peſtilence ſeized them, and the greater part found their grave in the ſea, or had their bodies flung upon the Dutch coaſt to be "eaten by "hogs." When Mansfeldt reached the Rhine, half his force had diſappeared thus miſerably, and with the reſt he could do nothing. Such was the firſt adventure in the favourite's grand ſcheme; wherein, among the few nobler victims, poor Lord Southampton periſhed with his eldeſt ſon, and, ſomewhat later, the gallant Lord Oxford.

To what extent Eliot's friendly intercourſe with Buckingham may have been reſumed during his unavoidable communication with the lord-admiral at Plymouth, or whether their connection was ſolely official, it would have been difficult ſatisfactorily to decide upon the only letters I can diſcover to have paſſed between them; but, from what I ſhall be able diſtinctly to ſhow of the relations ſubſiſting between them at the opening of the firſt parliament of the new reign, it will be manifeſt, I think, that their preſent intercourſe was ſomewhat more than official, though far leſs, in the way of confidence or intimacy, than it formerly had been. Archbiſhop Williams, when he afterwards drew up the abject apology to Charles in which he diſclaimed connection with any of the "ſtirring men," declared that "Sir John Eliot, the "only member that began to thruſt in a complaint "againſt me, was never out of my lord duke's cham-"ber and boſom;" but if this phraſe meant anything more than the notorious fact of Eliot's official connection with the duke, the time choſen to give effect to the ſlander deciſively rebuts it. Eliot had then been actually appointed one of Buckingham's accuſers. As the diſhoneſt prelate, however, may only have miſdated what he had to ſay, ample evidence will ſhortly be

afforded of its falſehood, even on that ſuppoſition. Meanwhile it is at leaſt certain that the moſt reliable preſumption for any other than official intimacy to be drawn from their preſent correſpondence, reſts upon an alluſion in one of Eliot's own letters. From this it would ſeem to have been the intention that he ſhould have accompanied Buckingham to France, in the miſſion contemplated ſhortly before James died. Eliot's poſition in regard to the deſired French alliance, however, was ſomewhat peculiar. Foremoſt among the members of the houſe of commons pledged againſt any relaxation of the penal laws againſt popery, he was yet known to be not oppoſed to a marriage with a French princeſs. It was not more his opinion that Spain ſhould be reſiſted, than that a friendly hand ſhould be held to France. He believed her to be England's natural ally; and one of his charges againſt Buckingham urged afterwards with bittereſt effect, was that of having needleſſly broken peace and faith with ſo important a friend.

Quite conſiſtently upon this queſtion, therefore, might Eliot have been in "my lord duke's chamber and "boſom;" and, anything of perſonal intimacy apart, it was not unnatural that the lord high admiral, charged with a miſſion to Paris involving many difficult queſtions, ſhould have deſired to carry with him the moſt diſtinguiſhed of his vice-admirals, and a member of that country party in the Engliſh parliament which foreign ſtateſmen regarded with ſalutary dread, and had an honeſt deſire to conciliate. It may further explain the poſition of Eliot if alluſion is made to that of Sir Thomas Wentworth. He diſliked the match with France as much as the rupture with Spain, and though he diſguiſes his feeling under playful ſallies to ſecretary Calvert,* one can ſee that his ſympathies were with the "unruly fellows in parliament" who might have been expected, if ſuffered to meet, to prove as agile againſt

* *Strafford Diſpatches*, 12th Oct. 1624. i. 24.

France as others had been againſt Spain. Wentworth was nevertheleſs a ſuitor to the duke at this very time, in circumſtances that were far more likely to bring in queſtion his fidelity to his own opinions than any that could be urged in the caſe of Eliot. At leaſt the vice-admiral was not oppoſed to the public policy his chief was at the time purſuing, to whatever extent his recent experience on the coaſt may have ſtrengthened the opinions we have already ſeen him fearleſſly uttering in the houſe of commons as to the general unpreparedneſs and defenceleſs ſtate of the land.

At the cloſe of the year, Eliot, ſtill engaged in his official duties in the weſt, appears to have been ſummoned to London to receive certain ſpecial matters in charge from the lord-admiral. Their tenor is only to be inferred from letters addreſſed by Eliot to Buckingham, preſerved in the ſtate paper office: but theſe will ſufficiently indicate the relations that exiſted between the vice-admiral and the chief of the naval administration; and will ſerve alſo to elicit ſome perſonal traits in a high degree characteriſtic of both thoſe celebrated men, while they offer important illuſtration of the incidents as well as of the manners of the time. I propoſe here to treat ſeparately of each ſubject handled in the letters; ſupplying, from other incidental ſources, ſuch information as may be needed to explain obſcure alluſions. The interval they occupy is that of the laſt three months of James's reign. Buckingham was now preparing for his embaſſy to bring over the French princeſs; and, eagerly ſeconded by prince Charles though no war had been regularly proclaimed, was deviſing every means to cripple and haraſs Spain. Among other arrangements with this view, certain Engliſh veſſels had been, under the French marriage treaties, hired to France for employment againſt Genoa as the friend of Spain; and upon the latter engagement, and circumſtances ariſing out of it, very important conſiderations will hereafter turn.

Eliot left London in December 1624, with an understanding that he should return in March to accompany Buckingham to France. The first subject requiring attention was a commission, at which he was to preside, for arrangement of a dispute concerning the clearance of the harbour of Catwater; and in conjunction with its members he was afterwards to hold an admiralty sessions for trial of certain Turkish pirates who had committed capital offences in the west. But the incident that first detains us happened on the way.

Stopping at Exeter as he passed to preside at the commission, he writes specially to Buckingham of a particular occurrence on the journey. As the matter will not be unprofitable to the lord-admiral, he begs from him, though at the cost of some small trouble, a speedy answer. A Dutch man-of-war had taken up floating at sea, "as a derelict," a ship of two hundred tons laden with rye, and brought her in at Teignmouth. Eliot had ascertained the Dutch captain's readiness to present her to the English lord-admiral, expecting only a gratuity for his service, and payment of the charge he had been at, and for hindrance of his own voyage: as to all which the vice-admiral is confident that his chief would not have the Hollander go unrewarded. The ship was leaky, and the necessity of having men continually to pump her caused a considerable outlay. Her cargo of corn moreover was in great danger, and, if not presently disposed of, was like to be all, or certainly the most part, lost. Some sudden course therefore was absolutely essential, so that the cargo might forthwith be sold; and in this Eliot had presumed to crave Buckingham's order, being desirous only of such things as he might direct, and holding himself in readiness, on receiving it, instantly to appraise and sell the corn. "The necessitie and valew "of the matter," he concluded, "makes me impor- "tune for your speedie order, which as I shall receave, "I shall attend with all respect and diligence that may

"expreſs me your Grace's moſt devoted ſervant, J. "Eliot."*

After interval of little more than a week, about the 8th or 9th of January, the deſired directions appear to have been received from Buckingham himſelf; but it is not until the 2nd of the following month that the reſult is reported by the vice-admiral. He had proceeded in it, he ſays, with his beſt care and ſtudy for the lord-admiral's advantage; and, as "articulately" as he might, he had obſerved the words of his directions. It is indeed curious to obſerve with what minute preciſion he renders his account. If we are not to infer from it diſtruſt of himſelf, which is not at all probable in ſuch a caſe, it might ſeem that he muſt greatly have diſtruſted the duke. He had begun by obtaining the help of the neareſt magiſtrate, alſo a member of parliament, Mr. Hockmore, an ancient ſervant of the prince's,† "and "then," as he writes, "the place affording no officer, "nor man of quality in itſelf, I uſ'd likewiſe the further- "ance of Sir Edward Giles, a neighbouring gentleman "of reputation and eminence, whom I found ſoe readie to "your ſervice, as I preſume your lordſhip commands "not anie thing more freelie than his affections." The reader will obſerve, in theſe expreſſions, the forms of reſpect and deference then univerſally uſed to men in Buckingham's poſition; and will not require to be told that there was nothing of dependency on prince or

* MS. S.P.O. Eliot "to the r^t honora^ble y^e Duke of Buckingham his "Grace Lo. High Admirall of England. *Exon.* 1 Jan. 1624."

† Hockmore was a Corniſh member in James's later parliaments, and a man of wealth and ſtanding in the county. He repreſented St. Mawes. He died not long after this time (in October 1626), and his eſtate became the ſubject of a ſmall conſpiracy among certain worthies, who will hereafter be found playing a not very reputable part againſt Sir John Eliot. The Devon judge of admiralty, Kift, wrote not many days after Hockmore's death to Edward Nicholas, Buckingham's ſecretary at the admiralty, to tell him that he had left an eſtate of 800l. a year to an heir fifteen years old, and that if Nicholas could get from the duke the wardſhip for himſelf, "Sir James Bagg, and me," he ſhould have 2000l.

favourite in Sir Edward Giles, but a frank and independent country gentleman, a county member and moſt eloquent ſpeaker, who had on a former ſimilar occaſion aſſiſted his friend and countryman Eliot, and was ready to do it again.

Fortified by theſe aſſiſtants, Eliot ſummoned a jury of four "ſufficient and underſtanding" men; put them upon their oaths; and charged them to take an inventory of the ſhip with her cargo and proviſions, and make a valuation and appraiſement of both. Then, having meanwhile cauſed the corn to be cried abroad in the country, according to the ſelling prices of the markets, he required the jury to attend the ſale and delivery of it, and to keep a true account; certifying the ſame, with the inventory and appraiſement, under their hands and ſeals, to himſelf, Hockmore, and Giles. They having witneſſed theſe documents, Eliot had ſince tranſcribed them, and they were now tranſmitted to the lord-admiral, with a duplicate for the judge of his court. The ſhip with all her furniture and apparel remained unſold, and he ſhould wait Buckingham's further order thereon. For the Dutchmen who preſerved and took her up, he had as yet done nothing; but as they ſhould repair to him and make their reaſonable demands, he ſhould acquaint the lord-admiral, and in that alſo crave his allowance. Some charges would have likewiſe to be diſburſt upon the harbour men who brought the Dutchmen and their prize into Teignmouth; for a ſtorm had ariſen, and they were in ſuch great diſtreſs when they came to the mouth of the harbour, that with much difficulty they were relieved by the boats that adventured out to them. The recompenſes for thoſe men, the Dutchmen had themſelves proportioned in a manner which Eliot conſidered to be fair; and theſe, with ſome few other items incurred for the keeping of the ſhip and corn ſince ſhe came in, he had reduced into a particular computation, that Buckingham might have the exact details before him.

Eliot cloſes his letter, of which every detail is as conſcientiouſly minute as if handed in upon oath, by informing the lord-admiral that he ſhall place the laſt-mentioned account in his own hands on coming to London. Buckingham ſeems again to have urged his perſonal attendance; and his vice-admiral aſſures him that he ſhall uſe the greateſt expedition he can for diſpatch of the other buſineſſes and commands in that place, "that I may come "ſeaſonablie to attend you, in whoſe favour I repoſe both "the opinion and happineſs of your grace's moſt devoted "ſervant, J. Eliot." * There is no more meaning, in any literal ſenſe, to be drawn from theſe ordinary cloſing ſentences of the letter-writing of that age, than from the ornamental flouriſh that frequently accompanies a modern ſignature; and they are quoted with exactneſs that the reader may ſee all that is to be alleged againſt Eliot on this ſcore. His compliments are always in the ſame place, and carry neither help nor hindrance to the buſineſs they accompany.

In the hope of being able ſo ſoon to attend the lord-admiral in perſon, Eliot had miſcalculated. He could not leave the weſt without communications from Buckingham upon matters of importance, which failed to arrive; and he had even to write again, three weeks after the letter laſt-mentioned, ſtating his willingneſs to leave other things to a time of greater leiſure, but reminding the duke that his plans as to one particular ſtood in grave prejudice of his own intereſts. † The ſhip at Teignmouth, reſerved upon ſale of the corn, had bulged in diſcharge of her loading, being old and weak, and had ſince im-

* MS. S.P.O. Eliot to the r^t hon^ble my verie good Lo. the Duke of "Buckingham his Grace Lo. Highe Admirall of England." 2 Feb. 1624.

† "Since my ſeverall letters to y^r Lo^p. of the tenth of the laſt, and of the "ſecond and thirteenth of this month, being prevented by y^e greater "thoughts of the inſtructions w^ch I thereon hoped for the ſervices formerlie "commanded me; the neceſſitie and importance thereof, w^th my longing "to attend y^r Lo^p. in the preparation of y^r journey, ſolliciting a ſhort diſ-"patch; I am now enforct for myne owne excuſe," &c. &c. &c.

paired ſo much by lying that ſhe would be of little worth, unleſs ſpeedily ſold. The particular time, too, might preſent ſome chapmen to fit her for Newfoundland; but if that opportunity were loſt, ſhe was likely to return herſelf an unprofitable ſervant. It being his duty to inform the lord-admiral of all things affecting his intereſt, he had already made Mr. Ayleſburie acquainted with the urgency of the caſe; deſiring to guide himſelf wholly, and to level his courſe, by the duke's directions.* The argument here uſed proved to be a potent one with Buckingham, whoſe reply was dated on the firſt of March, or leſs than a week from the date of Eliot's reminder.

Eliot received it at Exeter, which he had reached on his way to London, partly to keep his engagement to attend Buckingham on his journey, and partly becauſe the day was approaching to which parliament had again been prorogued. But the command from the duke for ſale of the Teignmouth ſhip, conveyed in his reply, took Eliot back to that place. He could no longer, he ſaid in acknowledging its receipt, get the help of the gentlemen whoſe aſſiſtance he uſed in the ſale of the rye, they being both parliament men, and at that moment (with himſelf) on their way to London; but ſuch others as he might with convenience draw to the place, he would ſolicit to further him in diſpoſing of the ſhip; and the courſe he would ſo order, as he doubted not but it would render a full ſatisfaction.

Yet this might be called a ſanguine remark, ſeeing that even the minuteneſs and painful care for the duke's benefit that had diſtinguiſhed Eliot's former communication appear to have failed to give Buckingham a "full "ſatisfaction." In his preſent letter he is obliged to ſay

* MS. S.P.O. Eliot "to the r^t honorable my verie good Lo. y^e Duke "of Buckingham his Grace Lo. High Admirall of England." 21 Feb^y, 162⅘.

that his grace ſeems to have miſtaken the ſcope of the firſt valuation of the cargo by the appraiſers, as that eſtimate was not a ſhortening of the benefit to the lord-admiral, but a formal concluſion againſt further claim to proprietors; limiting their poſſible recovery to the ſum ſo ſtated, and thereby reſerving in every caſe, wholly for the uſe of the admiralty, the overplus and advantage of the ſale. Such had been his unvarying practice in all inſtances; and although others, he knew, followed it not, he had never forborne, but in that way had juſtly accounted in all his former ſervices. And though he might ſo have incurred diſlike from thoſe who acted with him, he was glad to have made a precedent for his grace's advantage, having his affections without limitation entirely devoted to that way.*

And now, returning to the point from which this incident has detained us, we are called to accompany the vice-admiral to the commiſſion for clearance of the harbour of Catwater, to which great prejudice and dangers had accrued by the ſinking of a ſhip therein. A man afterwards well known, William Strode, was joined with him in this commiſſion; and with them were aſſociated one Richard Buller, and another perſon already named, not only connected very cloſely with Buckingham, but hereafter to be more intimately than honourably connected with the fortunes of Eliot, Mr. James Bagg. The character of this man will very ſhortly be permitted to unfold itſelf.

The duty of the commiſſion was to ſee that the neceſſary charges for clearance of the harbour were undertaken by the authorities of Plymouth and Saltaſh, to which towns the commiſſioners preſented letters from Buckingham requiring ſuch aid. But their taſk proved the reverſe of eaſy. Plymouth would readily have under-

* MS. S.P.O. Eliot "to y^e righte honõable y^e Duke of Buckingham "his Grace Lo. Highe Admirall of England. *Exon.* xi. Marcij 1624."

taken what was to be done, if permitted to do it without the intervention of Saltaſh, which, jealous of the more important town, and too poor to undertake the work itſelf, threw obſtructions in the way. Such a precedent would infringe upon the prince's intereſts, and we cannot conſent to it, ſaid Saltaſh. Let us be permitted to become ourſelves the prince's tenants, replied Plymouth, and give us the privilege of the harbour fees, and we will gladly ourſelves do the work. The entire eſtimated coſt of weighing the ſunk veſſel does not appear to have been more than 300*l*, and it is amuſing to ſee ſuch an amount made matter of ſo much conflict, artifice, and diplomacy.

The firſt deſpatch reſpecting it is ſigned by all the commiſſion, Eliot, Bagg, Strode, and Buller; its object being to acquaint the duke that they with all ſpeed had met the towns of Plymouth and Saltaſh, and obtained two ſeveral conferences, uſing thereat both the duke's arguments and ſuch others as had occurred to themſelves, to urge the neceſſity and haſte of the work, to abet it by their counſel and advice, to encourage the towns in undertaking it, and to remove ſuch difficulties and impediments as they might find; but this laſt they had not found eaſy, to even their utmoſt care and diligence. By both towns much readineſs was profeſſed, but always ultimately withheld upon reſpect of their ſeveral intereſts. So ſtrong the difference, indeed, that they have found it unconquerable but by the power of ſome ſuch wiſdom as the duke's, to which accordingly they are forced to remit it. Each town had undertaken to certify for itſelf its ſpecial caſe, and the commiſſioners preſumed that each would ſubmit to his lordſhip's order. Continuing therefore the tender of their ſervice, and in honour of the duke's great employments and ſtudies forbearing other repetitions, they ſubmitted themſelves to his commands, being devoted his grace's in all duty.*

* MS. S.P.O. The letter is dated "Plimouth, 2° Januarij 1624," and is endorſed "2 Febr. 1624. S^r John Elliot conc^rning the Shipp ſunke in y^e "harbor of Catwater."

To this Buckingham appears to have replied by a requeſt addreſſed to Eliot perſonally that the courſe propoſed might not be taken, but that the towns ſhould forward their reſpective ſtatements to the vice-admiral, who ſhould himſelf take the deciſion of the commiſſion thereon. After three weeks' interval, however, Eliot is obliged to write to the lord-admiral that he remains ſtill unable to render the account deſired, the difficulty being greater than all their labours could reconcile; but that he will ſpeedily give his grace a more full certificate.* Within three days accordingly he writes again, conveying the only reſult to which they had been able to arrive, and why they had been obliged to forbear the ſervice impoſed. The gentlemen given to him as aſſiſtants had uſed great diligence in conferring with artificers and men experienced in the ſubject matter concerned, and had travailed hard to encourage and perſuade the towns, and ſeek them help to advance the work; and the towns had themſelves profeſſed ſome readineſs, but always with ſuch reſervation that nothing was determined. "Their pre-"tences were alike," continued Eliot, "both inſiſting "upon the point of right, what they ought to doe; and "their ends, as I conceive, were ſoe different, as they "excluded all convenience and neceſſitie. Plimouth "ſeems to envie Saltaſhe for the priviledg of that har-"bour, soe neer unto it, and would, upon the other's "refuſall, undertake the taſke to become his highneſs' "tenant therein: Saltaſhe, weaker than Plimouth for "ſuch a charge, fearing to refuſe it, pretends the danger "of the preſident how it may trench upon the intereſts "of the prince.† I know not what excuſe they will uſe "themſelves, but this I take to be the maine difficultie "—the diſabilitie of Saltaſhe, and the deſire of Plimouth

* MS. S.P.O. Eliot to Buckingham, 27 Jan. 1624.

† The alluſion is to the prince's intereſts in the weſt, connected with the Duchy of Cornwall.

" for ſome advantage thereon to opportune itſelf for your " lordſhip's favor; which that your lordſhip may diſpoſe " in the readieſt waie for the expedition of this and the " like ſervices, I have preſum'd to make this intimation: " and what you ſhall thereon command me, I am readie " to execute with the utmoſt power of your grace's " moſt devoted ſervant, J. Eliot."* With which deſpatch, wherein the writer's gravity hardly conceals his lurking ſenſe of the abſurdity of the diſputants, and to which he appends a note intimating that " the charge of the worke, " it 's ſuppoſed, will not exceed 300*l*," the vice-admiral's connection with this notable diſpute cloſed.

He had commiſſions of more importance in hand relating to the proceedings againſt Spain. It is remarkable, however, that, ſtrong as his own views on this ſubject were, he ſent up reſpectful remonſtrance againſt certain projects of Buckingham in connection with it which he held to be exaggerated and indiſcreet.

II. Spanish Ships and Turkish Pirates.

Eliot's firſt report as to Spain was made in the middle of January. Writing from Dartmouth he informs the lord-admiral that the news received there ſhows that the Spaniards' preparations for the ſeas are great, but as yet there was no mention or ſpeech of Brazil. Throughout Spain, he goes on to ſay, " our Engliſh " had been recently treated with extraordinary reſpect; and a general command ſeemed to have paſſed through the whole country that no man ſhould impeach or trouble them in their buſineſs, or give any one the leaſt perſonal diſtaſte. So unuſual, indeed, and ſo full of ground for

* MS. S.P.O. Bliot " to the r^t^ honora^ble^ my verie good Lo. y^e^ Duke " of Buckingham his Grace Lo. High Admirall of England. Plimouth " 2° Febr. 1624." Endorſed, " S^r^ Jo. Elliott conc^r^ning y^e^ ſhipp p^r^iſh'd in " y^e^ harber of Catwater and y^e^ difference betweene y^e^ townes of Plimouth " and Saltaſhe for y^e^ weighing thereof."

ſuſpicion as a mere blind to other preparations, was this courteſy, that it had filled the Engliſh factors and agents reſiding in Spain with jealouſy and alarm, ſo that they had been haſtening all they could to withdraw themſelves from the country. Their opinion was that the deſign in reality looked northwards. All this had been reported to Eliot by a factor who very lately had arrived, and who thought it no unhappineſs to be quit of his employments; "which," the letter concludes, "as a part of my "dutie that in all things I covett to expreſs, by waie of "intelligence, I have preſum'd ſhortlie to deliver, and "in honor of your excellence, kiſſing your handes, I reſt "your grace's humble ſervant, J. Eliot."*

One of his moſt ſpecial commiſſions from the duke appears to have related to the ſtay of ſhips and proviſions (chiefly fiſh) bound for Spain. Upon this he addreſſed an elaborate paper to Buckingham, from whom he differed as to the courſe propoſed to be taken. After ſhowing the ſtrength and ſtore of the weſtern country in that particular, and the proviſion that might be relied on as available from thence for his majeſty's uſe, he made the duke acquainted with ſome neceſſities which, if they were not prevented, might greatly prejudice the Engliſh merchants, and put the country at a diſadvantage for the ſervice required. "I muſt deſire your grace "in that," he concludes, "to give me an intimation "of your pleaſure, which I ſhall in all thinges ſeeke "to ſatisfie, beinge vowed y^r^ grace's moſt humble "ſervant, J. Eliot."† Three days afterwards he again urged upon the duke that in the report he had ſent to him as to the ſtay of fiſh he had touched upon the

* MS. S.P.O. Dated, "Dartmouth x^mo^ Januarij 1642." Endorſed, "S^r^ John Eliott to the Duke of Buckingham. Gives an accompt of ſome "direccons from his grace. Gives advertiſement of great ſea p^r^paracons in "Spaine. Extraordinary kindnes uſed there to the Engliſh. That breeds "jealouſie and manie doubt their deſſignes looke northward."

† MS. S.P.O. Eliot to Buckingham, 27 Jan. 1624.

neceſſities of the vendors in that country for their preparations of the year then commencing; and he pointed out the ill conſequence and miſery that would enſue if, aſſuming that his majeſty's proviſions were all duly ſerved, the traders had not ſome liberty of vending for themſelves, and were unable to ſet forth again. "They doe earneſtlie expect a reſolution therein," he concluded, "for which I am likewiſe a humble "ſuitor; and ſoe deſiring your pardon for preſſing ſoe "greate a heap of buſineſs upon your lordſhip's patience "at once, I reſt your grace's moſt humble ſervant, "J. Eliot."*

Upon another head of his principal charge from the duke, as to the detention of ſhips deſigned for Spain, he reports more confidently. One of his letters has reference to an Eaſtland ſhip of Pomerania, which had arrived in Plymouth harbour "bound for Spain"; and as ſhe was new, of good ſtrength, and with little or no lading, it was ſuſpected that in going thither ſhe had the end of her voyage, and might be expected to be employed thereafter to the prejudice of England. Her burden was four hundred tons, and ſhe carried at that time twelve pieces of ordnance, but was capable of more. Acting therefore on the duke's intimations to him at his coming down, he had thought fit to ſtay that ſhip until further directions; but theſe he now deſired to be ſent with all ſpeed, if the duke did not agree in the ſufficiency of the reaſon for her detention, becauſe the men would be preſſing earneſtly for her voyage. At the cloſe of his letter he makes the important addition that there were expected immediately in the harbour ſeven or eight more veſſels of the like burden and new build, which had never made voyage before, but alſo bound for Spain; and this rendered him more anxious to have the duke's deciſion.† He

* MS. S.P.O. Eliot to Buckingham. "Plimouth 2° Feb. 1624."
† MS. S.P.O. Eliot to Buckingham. "Plimouth, 2° Febr. 1624."

ſtates alſo, in a letter of later date, that ſome Engliſh ſhips had juſt arrived in Plymouth from the Spaniſh coaſt that complained much of injuries done them by Spaniards, and of great loſſes in their cargoes taken from them upon the ſeas by men-of-war of that nation. Thoſe Spaniſh war-ſhips were indeed equipped only againſt the Hollanders, but now, pretending authority from their ſtate, they fell likewiſe on Engliſh shipping. "The merchants," concluded Eliot, "importune me "much with theſe complaints, in which I make bold to "acquaint your lordſhip, and soe in repreſentation of my "humble dutie I reſte your grace's moſt devoted ſervant, "J. Eliot."*

One of the intimations in theſe letters tranſmitting notices as to Spain, and upon matters connected with the hoſtilities impending, would have had peculiar intereſt if the diſcoveries at which it hints had been given. They referred to intelligence from France of ſome new troubles begun about Rochelle by the leader of the huguenots, M. Soubiſe; but being unable, as he ſays, through haſte, to give it an apt form for his grace's views, Eliot had included what he had to ſay in a few words to Conway, aſſuring himſelf that the duke would receive it more complete from Mr. Secretary.† Unfortunately Mr. Secretary has not diſcloſed it to us; and we cannot therefore judge to what extent it might have borne upon later diſcloſures in the ſame direction which helped to widen and make irreparable the breach between Eliot and Buckingham. For a brief ſpace longer there is no hint of an ill-underſtanding, and theſe letters ſhow, from time to time, the arrangement that had been ſettled for Eliot's taking part in the miſſion to France. "I ſhould be happie," he ſays in one of them, "from your lordſhip to underſtand

* MS. S.P.O. Eliot "to y^e^ right ho^ble^ my verie good Lo. y^e^ Duke of "Buckingham his Grace Lo. Highe Admirall of England." Dated "From Exon, xiij Februarij, 1624."

† MS. S.P.O. Eliot to Buckingham, 27 Jan. 1624.

"likewiſe the time of your jorney, in which I have "devoted myſelf to your attendance; and, as I would "not neglect the leaſt occaſion to advanc your honor, I "ſhall in that labor to expreſs myſelf your grace's thrice "humble ſervant, J. Eliot."* In another he hopes that the time may not be ſo fixed as to prevent his due attention to the commiſſion for trial of the Turkiſh pirates. The diſpatch having reference to that ſubject poſſeſſes peculiar intereſt.

The extent to which the pirates of the Eaſt took part in the plunder of our defenceleſs coaſts at this time, has been the ſubject of remark by many writers; but it has received no illuſtration ſo ſtriking as the fact, which appears to be undoubted, that pirating had become ſo much more profitable than honeſt trading that ſeveral Engliſhmen actually went into the buſineſs, turned Turkiſh and renegade, and lived at Tunis. One of the captures at ſea by Algerines was eſtimated at more than a quarter of a million. Nor was it that the corſairs only ſcoured the channels, for they frequently diſembarked, pillaged the villages, and carried into ſlavery the inhabitants to the number of ſeveral thouſands. It will occur to me hereafter, from papers I have found in Eliot's handwriting, more particularly to detail the character and extent of theſe outrages.†

No wonder then that the vice-admiral ſhould open his account of the ſeſſions he had held on the Turkiſh priſoners at Plymouth, with aſſurance of the extraordinary ſatisfaction its reſult had given to the merchants in thoſe parts, who had ſo long and reaſonably complained of wrongs againſt

* MS. S.P.O. Eliot to Buckingham, 21 Febr. 1642.

† See the ſubject treated in my *Grand Remonſtrance*, 228, note. (Second Ed.) The writer of the Remonſtrance moſt juſtly connected the mention of theſe outrages with the monſtrous taxation of Charles's government under the pretence of "guarding the ſeas," while "the ſeas meanwhile were "left ſo utterly unguarded that the Turkiſh pirates ranged through them "uncontrolled, repeatedly taking ſhips of great value, and conſigning to "ſlavery many thouſands of Engliſh ſubjects."

them. The proceedings had alſo cleared the admiralty from aſperſions that heretofore had been caſt on its juriſdiction, and the honour of the lord-admiral had been vindicated by the free and open juſtice allowed to the accuſed. Twenty-five had been put upon their trial, conſiſting of twenty-three "Turks and Renegadoes" and two Chriſtians, the latter being a Dutchman and an Engliſhman, ſeized in the ſame ſervice; and all had been condemned, "both thoſe that this yeare came in at Plymouth "and ſome others that have been auncientlie in the gaole, "and upon former tryalls neglected." Intereſt had ſince been made to obtain reprieve or delay of ſentence, but Eliot had peremptorily refuſed even to communicate with the admiralty on the ſubject, and had ordered execution in all but five caſes. Twenty had been hanged accordingly. As to thoſe reprieved, he had adviſed with the reſt of the commiſſion; and, while he earneſtly recommended them for mercy, he had yet given no pledge that could juſtly operate againſt future execution of the ſentence, if ſuch ſhould be held eſſential. Eliot hoped otherwiſe, and his reaſons for mercy are as juſt as thoſe by which he vindicated his not leſs juſt ſeverity.

Two of the men reprieved were the Engliſhman and the Hollander, not for the fact of their being Chriſtians, but becauſe their deeds were proved to have been much leſs criminal. It was yet for his grace's deciſion whether they ſhould finally be reſerved "to be characters of his "mercy." As to the reprieve of two of the Turks he ſpoke more confidently. Theſe men had already in a large meaſure expiated by ſeven or eight years impriſonment (ſo imperfect were gaol deliveries then!) the offence they had committed; and upon enquiry Eliot had found, that during their time of detention they had made themſelves ſerviceable, and given good teſtimonies of fair behaviour and converſion. The fifth perſon reprieved, or rather exempted from ſentence, was a mere boy "young and not capable "of the knowledge or reaſon of doeing good or ill,"

and upon him Eliot would not even permit judgement to be paſſed as on the reſt. He leaves the ſubject with renewed aſſurance of his belief that the laws had been ſufficiently aſſerted. "The example," he ſays, "will be "large in the reſte; and ſuch a preſident as I beleeve this "countrie has not ſeene. Wherein I have ſtudied nothinge "more than to accord the direccon of your lordſhip, "with the expectacon of the merchantes, in whoſe re-"ſpect you ſhall retaine perpetuall honor. This as my "dutie I preſent for an accompte of my ſervice; and "as your lordſhip ſhall diſpoſe it upon anie alteracon, I "ſhall ſhow the like diligence."* He ſends him with the ſame diſpatch a general calendar, drawn up in Latin, of the priſoners tried before him.

An intimation cloſes his letter which ſubſequent occurrences will make very noteworthy. He tells Buckingham that he is not ſatisfied with the commiſſion, and ſhould make bold to acquaint him hereafter with ſome diſlikes. He objects evidently to ſtate them in writing, and therefore defers them until he ſhall preſent himſelf to kiſs his grace's hands. In all probability, however, his grace had already received ſome hint of the cauſes, for Eliot goes on to ſay that he doubts his former deſpatches upon his orders reſpecting Spain muſt have had ſome miſcarriage, as no new inſtructions had ſince been ſent to him. "And the importance which I conceave "therein moves this intimation, upon which if your "lordſhip ſhall require a newe endeavor or accompte I "will not faile to expreſſe my readines." The reader will ſhortly have good reaſon to infer that the preſence of Mr. Bagg on the commiſſion explains both the diſlikes of Eliot and the ſilence of Buckingham; and that the imperfect alluſions and inuendoes here given, are to find their explanation in ſome intrigue againſt the writer.

* MS. S.P.O. Eliot to Buckingham. "From Exon, xiij Februarij, "1624."

III. Last Letters to the Duke of Buckingham.

In the very next letter from the vice-admiral, written at Port Eliot within a fortnight after the laſt, graver matter of complaint appears more openly. Eliot had ſuddenly diſcovered attempts in progreſs to check the due execution of his office in the northern diviſion of his county. And here it is neceſſary to explain that on the grant to Eliot, by Buckingham's favour, of the patent held by Stukely, it was made to include a reverſion of the northern diviſion which before had been exempted from its profits, the latter being paid to the Earl of Bath for his life, but on his death reverting to Eliot. Theſe circumſtances were now recalled to Buckingham's recollection in a tone of not unmanly or undignified remonſtrance. The letter indeed is worded in the ſtyle of the time; and, though partaking far leſs than was uſual of the ſelf-abaſing and ſubmiſſive phraſe in which everyone now addreſſed the favourite, majeſty hardly excepted, it has expreſſions that might be open to miſconſtruction if not read with the context and ſome acquaintance with the prevailing epiſtolary cuſtom. When for example Eliot, referring to the new powers granted him in Buckingham's patent, and his own ſubſequent exerciſe of theſe powers, calls himſelf the duke's "creature," the meaning is ſimply what the word literally implies, that thoſe larger powers and their uſe had been of the duke's "creation." *

"My moſt honored Lord," he writes, "as I am "devoted whollie unto your ſervice, I ſhall ever covett "that which maie be moſt for your advantage, and for "myſelfe retaine noe other ambition than the honor of "the imploiment and your lordſhip's favor, which, if I "meritt not, it is my fortune not my will that's faultie,

* It has been ſeen (ante, p.161) how one of the higheſt officers of ſtate, the lord treaſurer, ſlavered and licked the hand that had ſtruck him from power to diſgrace and ruin; and it will occur to me in the courſe of my narrative to give many additional examples.

"and wherein I fear to be miſtaken. I beſeech your "grace, pardon me to excuſe myſelf, or to be humbled "at your feet.* In the execution of your commands "in the north diviſion of my vice-admiraltie, I finde "myſelf checkt by a report and rumour ther that the "intereſt of thoſe parts you have reſum'd from me, "and promiſ'd to confer it on the Earle of Bathe: "which intention, if it ariſe from anie particular diſtaſt, "I am unhappie; if it be grounded on the affection of "ſome greater worth, I ſhall ſoe farr preferr your lord-"ſhip's ſatisfaction, as to advance it with the ſacrifice of "all my hopes. But I believe it rather proceeds from "ſome miſpriſion, or ſuggeſtion that that place is voide "of anie former graunt and now to be diſpoſ'd. If "ſoe, and that the eſtimation of my ſervice be not "leſſen'd, I ſhall repoſe a confidence in your lordſhip's "favor, and when ther is occaſion preſume ſtill to waite "on your affaires. How your lordſhip paſt it to me in "my patent; how I have uſ'd it ſince the death of the "ould Lord of Bath, for whoſe time onlie ther was a "particular exception; what benefitts it has rendered "through my indeavors; I need not to account. This "expreſſion I have made of my deſires to ſhew how "fullie I am your creature, and that your word in all "things maie diſpoſe me, being vowed your grace's "thrice humble ſervant, J. Eliot."†

Take away the phraſes of form, and what is here ſaid is no other than that, in the adminiſtration of the office he ſerved, the writer had ſtudied the advantage of the lord-admiral rather than his own, and that his ambition had been chiefly rewarded by the honour of the employment; that what it is now reported is about to be beſtowed

* He means that if he ſhould fail in the one he will be content to be the other.

† MS. S.P.O. Eliot to "the r^t^ hono^ble^ my verie good Lo y^e^ Duke of "Buckingham his Grace Lo High Admirall of England. Port Eliot "Febr. 1624." Indorſed "R 28 Febr. 1624."

on another, had been paſſed to himſelf in his patent, had been exerciſed by him, and had been made beneficial through his exertions; that if he is now to be deprived of it through any perſonal diſtaſte, he muſt regret and feel unhappy at that circumſtance, though if with a view to its beſtowal on a perſon of greater worth, he ſhall be content to ſacrifice his own hopes to the duke's greater ſatisfaction; but, as he believes the propoſed change to have ariſen from forgetfulneſs or miſunderſtanding of the exact terms of his patent, he recites them, and, preſuming that the eſtimation of his ſervice has ſuffered no diminution, will preſume ſtill, until otherwiſe adviſed, to wait on the lord-admiral's affairs. In his reply, Buckingham ſeems to have avoided the main point at iſſue, and to have ſimply conveyed his approval of Eliot's ſervices. "The "intimation," ſays the vice-admiral, in a letter of three weeks later date, "which was imported in your "letter of the favor which your grace retaines of my "weak endeavors, does much oblige me; and wherein I "may find an opportunitie to expreſſe myſelfe worthie "that opinion, I ſhall not be ſlowe to acknowledge ſoe "greate an honor; for which I am vowed your grace's "thrice humble ſervant, J. Eliot."* It is at the ſame time not without intereſt to obſerve that the duke's letter, of which ſuch acknowledgement is made, met Eliot at Exeter, on his way to London to join Buckingham for the French miſſion; and that its effect was to turn his ſteps back to Plymouth for a work, which,† however in itſelf important to be done, might as well and effectually have been done by his officers or agents. It is clear to me that at this time a ſecret influence was exerting itſelf, and that it had ceaſed to be Buckingham's deſire that Eliot ſhould accompany him to France.

The nature of that influence will appear very

* MS. S.P.O. Eliot to Buckingham. "Exon, xi. Marcij, 1624."
† See ante, p. 185.

ſhortly. But as, up to this time, the lord-admiral and his vice-admiral were agreed in their public policy, any cauſe of diſſatisfaction with Eliot muſt have turned rather on ſome ſuſpected deficiency in pliable qualities than any alleged abſence of patriotiſm. I ſhall indeed be able hereafter to ſhow this, as I think ſatisfactorily, under Eliot's own hand. And, ſhould it then ſtill ſeem that there is any uncertainty in the manner in which the ſubject of their final ſeparation will have been left (which I cannot myſelf believe), one fact at leaſt will remain unalterably to Eliot's honour,—that the point of time at which they parted, marks his own adherence to the policy he had originally eſpouſed, and the duke's divergence from it; and that not until the death of James, and the acceſſion of his ſon, when the favourite had completely thrown off the maſk by which a whole nation was deceived, did Eliot take up a poſition of antagoniſm to Buckingham never again to be abandoned, as the enemy of his countrymen and a traitor to the ſtate.

The laſt of Eliot's letters to the duke is dated on the firſt of April, 1625, a little more than a fortnight after the letter laſt quoted. Only four days before, the old king had died at Theobalds; and when the violent reaction came, on diſcovery of Buckingham's bad faith in the Spaniſh and French marriages, it was very generally believed that the king had been poiſoned by the favourite, from the hands of whoſe mother, immediately before his death, he had undoubtedly taken a draught not preſcribed by his phyſicians. If the charge had been more tempered, it would probably have been more true. In trampling down the one grand ſolitary object which the poor king had ſteadily purſued throughout his reign, Buckingham had broken his ſpirit; and petty inſults and tyrannies did the reſt. Thoſe were the poiſons Buckingham dealt in, and now they had done their work.* On

* "The diſeaſe appeared to be a tertian ague," ſays Laud in his *Diary*. "But I fear it was the gout, which, by the wrong application of medicines

the firſt of April, Eliot had again advanced towards London as far as Exeter to keep his pledge as to the French journey, when a letter from the council-table was placed in his hands. Its purport can only be inferred from the letter he at once ſent to the duke.

"My moſt honored Lord," this ran, "In the greate "deſire I have unto your grace's ſervice, nothinge "has more unhappied me than the wante of opportu- "nitie in which I might expreſſe the character of my "harte that onlie takes of your impreſſions. The times "ſeeme therein envious to me, preſenting oppoſition "to everie purpoſe which I make: as if misfortune were "their project, I the effect. This ſecond time I had now "advanct my journey thus farr to attend your grace, "and long ere this I had hoped to receave the honor "to kiſs your hands; but the ſad intimation of his "majeſty's deceaſe, meeting me here in ſome letters from "their lordſhips implying a caution for the late intended "preſt of mariners, has impoſed not only a ſorrow, but "an aſtoniſhment in all my faculties, that of myſelf I "have not power to move in anything without new direc- "tion. The apprehenſion of ſoe greate a loſſe, and the "particular ſenſe which I knowe remaines in your "grace, whoſe affections I muſt beare, makes me doubt "a generall indiſpoſition untill the grief maie ſomewhat "be digeſted. Upon which I dare not preſume far- "ther, but as I ſhal be warranted by your commands. "In expectation whereof I will, in the meane time, "ſettle all my reſolutions, and become whollie devoted "to the contemplation of your excellenc; retaininge "my indeavors in the ſame readineſs which has alwaies

"was driven from his feet to his inward vital parts." Irritation, humiliation, and the conſtant worry of diſappointment, to a man ordinarily unaccuſtomed to theſe vexations, are better drivers of the gout from the foot to the ſtomach than the worſt miſapplication of medicines that quackery can deviſe.

"been profeſt in your grace's moſt humble ſervant, "J. Eliot."*

The writer appears to have received no more commands or directions from Buckingham, for anything of mere perſonal ſervice; and, though in many expreſſions employed in that laſt letter there is a tone of perſonal ſympathy for the duke's loſs, which ſhows as yet no ſuſpicion of any altered favour, there can hardly be a doubt that this ſecond ſtoppage of Eliot's journey, by means of ſo prompt a communication from the privy-council, had been the duke's own work. His vice-admiral was not to attend him into France, or be his humble ſervant any more. The intrigue which had been ſome time in progreſs againſt him in his own country and office, has continued ſteadily to work to its end, and the chief actor in it muſt now be introduced.

IV. Mr. James Bagg; from the Life.

Mr. James Bagg was a weſtern man, who, through ſome family connection with Nicholas, the ſecretary to the admiralty, had riſen from various incidental employments in that department to a poſition of confidence about the perſon of Buckingham himſelf, which as he had earned, ſo he kept, by the moſt complete abaſement to the duke's purpoſes and will. He had been joined with Eliot, as we have ſeen, in ſome admiralty commiſſions during the early part of the year, and from the moment of that connection with him appears to have ſteadily begun the proceſs of undermining him. Eliot reſented the man from the firſt, yet ſeems to have thought him not ſtrong enough to be dangerous; but immediately after the king's death the reſtrictions in the duties of his office, of which he had formerly complained,

* MS. S.P.O. Eliot to "R^t honora^ble my verie good Lo y^e Duke of "Buckingham, his Grace Lo High Admirall, &c. Exon, 1° April, "1625."

took a more decided form, and he saw agencies for the duke which belonged of right to his vice-admiralty, assumed and discharged by others. Upon his remonstrance, explanations and denials ensued; and shortly afterwards, in the two months' interval before the writs went out for parliament, Eliot was certainly absent from the west on some foreign employment or pretext connected with the preparations for the war.

I am now able to show, also from letters preserved in the state paper office, some detail of what the character and progress of this intrigue had been which Bagg was carrying on against him. On March 21, 1624–25, somewhat less than a month after we have seen Eliot complaining to Buckingham of interferences with his due execution of his office,* I discover that Mr. Bagg was addressing from London a letter to "my lord the duke of Buck-"ingham his grace, lord high admiral of England, "my very good lord and maister," to the effect that he thought it a fault any longer to keep from him a document which he enclosed, and which would show him that his, Bagg's, service during the last twelve months in the western parts, had brought to his lordship's coffers better than twelve hundred pounds. It agreed not with his duty, Bagg went on to say, to be tedious with his grace in words or long lines; and he would now, therefore, only remind his grace of his "favorable promise con-"cerning the collection of his tenths in Devon and Corn-"wall." Though this was not necessarily a part of the duties of a vice-admiral, it was one which he ordinarily discharged, and Bagg reveals by the subsequent part of his letter the entire drift of his petition. After observing that he should recommend his grace, in any future grant of warrants of market, to provide at the same time a receiver for the dues ("which," he slyly interposes, "trusted in me, shall not only be profitable to you but

* See ante, p. 197.

"make me great in your grace's eſteeme for an honeſt "man"), he goes on to ſay: "I doubt not, if you order "your vice-admiral's ſervice according to what is fit for "them to doe, which after my way I have formed in "ſome lynes encloſed, but you will have better accomptes "made to your lordſhip hereafter." He then winds up by ſaying that he is going into the weſt immediately, that he deſires his grace's commands, that he humbly prays he may return as the duke's collector, and that he hopes to live to ſee the day when by that way he ſhall fill his grace's coffers, and ſo be known his grace's "*beſt accompt-*"*ing* and moſt humble ſervant."*

To what extent all this had been influencing Buckingham may be inferred from the fact that Bagg went into the weſt with a commiſſion for victualling the ſhips at Plymouth to the amount of ten thouſand pounds, and for ſuperſeding the uſual functions of the vice-admirals in preſſing ſeamen for the ſervice. From this time he is the duke's moſt active, confidential, unqueſtioning, and entirely devoted ſervant in thoſe parts; "*his ſlave*," as he delights to ſubſcribe himſelf; and what immediately followed in the man's life ſhows the object of all he now aimed at. Before the cloſe of the year he was knighted, and made vice-admiral of Cornwall; and as ſoon as pretence could be found for ſequeſtering Eliot's patent, he received half the profits (the reſt being apportioned to Sir John Drake, who will alſo ſhortly enter on the ſcene) of the vice-admiralty of Devon.

But having ſaid ſo much to ſhew what the man at preſent was, and was intriguing for, the reader had better perhaps at once be put in poſſeſſion of what, within ten years from the preſent time, became notorious reſpecting him. Thoſe ten years, which witneſſed nothing but diſgraces

* MS. S.P.O. James Bagg "to my Lord the Duke of Buckingham his "Grace Lord Highe Admirall of England, my very good Lorde and Maiſter, "theis at Court. London xxj. Martij 1624." Indorſed, "Mr. Bagg to "my lord."

and humiliations in our naval hiſtory, were the time of Bagg's moſt active employment as director of the naval adminiſtration in the weſtern harbours; and the extent of his reſponſibility in tranſactions which had almoſt driven the poor of thoſe ſeaports into rebellion, was unexpectedly revealed by two actions in the ſtar-chamber. When quarrelling with a man who had been connected with him in his knaveries, and for whom he had actually obtained a peerage by ſolicitation from Buckingham, this worthy aſſociate, Lord Mohun, filed a bill againſt him in the ſtar-chamber, charging him with having received 55000*l.* to provide victuals for the king's ſhips, with having embezzled the greater part of it to himſelf, with having incurred debts in the king's name which he compounded to the grievance of the people, and with having proviſioned the ſhips with victuals of ſuch vile quality that they had killed four thouſand of the king's ſubjects. Frightful as were theſe charges, Mohun was held ſubſtantially to have proved them; yet Bagg was in ſome myſterious way exempted from the penalties.

But then came another bill againſt him, of which it could not be alleged, as of the former, that plaintiff and defendant were rogues together, and it was hard to chooſe betwixt them. The plaintiff in the ſecond caſe was a young ſimpleton of fortune, Sir Anthony Pell, who had ſome fair claims on the treaſury which he wiſhed to move my lord Portland, then lord treaſurer, to conſider, and his charge againſt Bagg was for having defrauded him of ſundry large ſums under pretence of paying them as bribes to the earl, to induce him to favour Pell. Bagg's impudent defence in effect was that he *had* bribed the lord treaſurer, who had flung over both Pell and himſelf. The cauſe excited extraordinary intereſt; and Laud's ſpeech upon it in the chamber having been preſerved, we have archiepiſcopal authority for repeating that Bagg was a raſcal. Laud pronounces him, over and over again, fraudulent and criminal; compares him to a highway-

man; and contraſts his "ingenuity" with the ſimplicity of Sir Anthony. "Look," ſays the archbiſhop, at the cloſe of his cenſure, "look but upon and ſee the many "letters he writ, *James Bagg, your moſt real friend!* "*Your buſineſs will be better done if you leave it to your* "*friend James Bagg!* Here is his hand againſt his oath, "and his oath againſt his hand. He was a moſt baſe "fellow to ſay *your moſt real friend*, and to ſerve Sir "Anthony as he did. I have now done with that "bottomleſs Bagg and my cenſure, leaving my lord of "Portland to do what he thinketh fit againſt him."*

The reader will obſerve with what ſurpriſing nicety of tuth Laud hits off the man as juſt revealed to us in the letter intriguing againſt Eliot. *Your buſineſs will be better done if you leave it to James Bagg!* But a portion of the ſtory remains to be told, to which few even of Bagg's contemporaries had the clue, and which will firſt be made fully manifeſt by the ſubſequent courſe of this narrative. Laud pronounced for Bagg's conviction in a heavy fine; but of the eighteen who voted in the caſe, nine ſupported that view and nine were againſt it, and the fine was only carried by the lord keeper's caſting vote. No one could doubt that extraordinary influences had been at work for Bagg, but no one was prepared for what followed. At the opening of December 1635, Garrard thus writes to Lord Wentworth: "In my laſt, of the middle of "November, I gave you an account of Sir James Bagg's "buſineſs, cenſured in the ſtar-chamber. It pleaſed ſince "his majeſty to ſhew him extraordinary favours. For, "the Monday following the cenſure, the king ſent his "prohibition to the lord keeper that the ſentence ſhould "not be drawn up, nor entered againſt him, nor no "warrant ſhould be awarded forth to impriſon him. "Some have endeavoured with his majeſty to take off

* See *Laud's Works* (Ed. 1857) vi. 29—33; and ſee *Ruſhworth* ii. 302-313.

"theſe prohibitions, upon good grounds of reaſon, and "the practice of the court; alleging further the inſolency "of Bagg's carriage ſince his cenſure, his open coming "abroad, his feaſting, for which even his friends con- "demn him. *Yet nothing is altered; he is ſtill at liberty;* "*neither is the ſentence entered.*"*

Not until this narrative is cloſed; not until it is ſeen how Bagg was uſed by Buckingham to dog the heels of Eliot with perjury and falſehood; not until the revelation is complete which ſhows the complicity of the king with the duke, and of both with this vile inſtrument, in a happily unſucceſsful conſpiracy againſt Eliot's character and honor; will the reader fully underſtand the hold that, after Buckingham's death, Bagg kept upon the king, and which even Laud can only imperfectly have known.† Enough meanwhile has here been ſaid to illuſtrate and ſtrengthen all the many ſelf-revelations which Bagg will ſupply to theſe pages. One has been given in his letter before departing for the weſt, ſix days before the old king's death. Another awaits us which he diſpatched from Plymouth three weeks after that event.

It will be remembered that in that interval Eliot addreſſed Buckingham for the laſt time. His letter was dated on the firſt of April, and Bagg wrote on the eighteenth to his "very good lord and maſter." His pen never ſeems able to proſtrate itſelf sufficiently, and this

* *Strafford Diſpatches*, i. 489.

† With all his natural deſire to ſcreen Lord Portland, Laud would hardly have done as he did if the king's confidence on this point had been extended to him. That court influence had been uſed to run the diviſion in the ſtar-chamber ſo cloſe, is clear; but no one acquainted with Charles's character, with his ſtrange reticences upon many ſubjects from men whom he otherwiſe truſted moſt, and with the way in which, after Buckingham's death, he played off one miniſter againſt another by half confidences and entire concealments, will need any explanation why in this caſe (eſpecially when the imputation againſt the lord treaſurer is alſo remembered) Laud ſhould have been left to his "cenſure" without a previous injunction or warning. Though the archbiſhop afterwards himſelf wrote to Wentworth about the caſe, he cautiouſly abſtains from repeating any opinion reſpecting it, either abſolving Portland or further denouncing Bagg.

effuſion begins as with a ſalute to an eaſtern potentate: "Moſt Great and Gratious Sir, the joyes of all hap-"pienes praied for with comfort to attend you. My "penn in ſervice reportes unto your lordſhip the occur-"rances in the weſt." He then proceeds to deſcribe the capture, by a Turkiſh pirate, in the very mouth of Plymouth harbour, of a Dartmouth ſhip and three Corniſh fiſher-boats, enlarging upon "the bouldnes of "thoſe Turkes." He tells his grace that he has ready for the fleet the proportion of victuals left to his providing in thoſe parts. He informs him that "Taylor,* "Gondomar's ſervant," had ſet ſail from Plymouth in a barque of twenty tons, on the laſt day of March, not then acquainted with the death of his late moſt bleſſed majeſty; and that his grace may reſt aſſured he will "laie waite" for all the news the Spaniſh coaſt can give, and will report it to his grace as he receives it. But the important part of his letter is his reference to the preſs for ſeamen. "I have," he writes, "with the aſſiſtance "of ſuch commiſſioners as much honnored your grace, "diſpatched the preſſe for Devon for three hundred and "fiftie men, and the moſt part of the Corniſh number for "two hundred more, ſoe as the beſt men ſhall attend his "majeſtie's ſervice; and the Newlanders are gonn with a "proſperous faire winde, and as much eaſed as his majes-"tie's ſervice would admitt. Sir John Elliott is diſpleaſed "hee was not ſoly imployed, and therefore could not be "invited to aſſiſt." To which ſucceeds the everlaſting Bagg beſeechment of his grace not to credit, if he hears, any miſreport, for that man doth not live that hath done, and ſhall perform, his lordſhip's commands with more ſpirit, faith, honeſty, diligence, and care than Bagg; who begs pardon for his boldneſs, humbly kiſſes his lord

* Mr. Taylor was Engliſh interpreter at the Spaniſh embaſſy, ſerving Nicholaldie as he had ſerved Gondomar; and many references to him will be found in the *Strafford Diſpatches*.

and maſter's hand, and lives moſt honoured whilſt he is his grace's faithful ſervant.*

And thus were my lord duke's eſpecial affairs in the weſt transferred gradually into fit and congenial keeping. Though Eliot was ſtill, and continued for a conſiderable time longer to be, in the ſervice of the ſtate, and vice-admiral of Devon, it is no longer, when occaſion ariſes, with the lord-admiral that he holds intercourſe, but with Mr. Secretary Conway. One perſonal interview more, on which much will be ſeen to turn, and the paths of Eliot and Buckingham will have diverged for ever. To the deſpotic miniſter of the new reign there will then be only left,—in one who had been the companion of his youth, and in maturer life ſo ready faithfully to ſerve and honor him,—an aſſailant inexpreſſibly formidable, and, by ſheer force of eloquence and courage, wielding a power over men more abſolute and laſting than his own.

* MS. S.P.O. James Bagg "to my Lord the Duke of Buckingham, "his grace Lord High Admirall of England, my very good lord and "maſter. Plymouth, the 18th of Aprill, 1625." Indorſed, "R. 22; "Apr. 1625. Mr. Bagg to my Lo^d." I may add, in confirmation of what has been said as to the miſconduct of this man, and thoſe large defalcations to the crown from the conſequences of which Charles I. was ſo ready to ſcreen his favourite's ſhameleſs instrument, that in the Royaliſt Compoſition papers (MSS.) after the Reſtoration, depoſited in the ſtate paper office ("Re Sir James Bagg's son, George Bagg"), it is ſtated that there was one debt of 22,500*l.* 15*s.* 5*d.* and another of 1480*l.* due to the late king by Sir James Bagg.

BOOK FIFTH.

FIRST PARLIAMENT OF CHARLES THE FIRST: AT WESTMINSTER.

1625. ÆT. 35.

I. "*Negotium Posterorum.*"
II. *Opening of the Session.*
III. *Rules and Orders of the House.*
IV. *Grievances and Religion.*
V. *Wentworth's Election for Yorkshire.*
VI. *Supply.*
VII. *Eliot's final interview with Buckingham.*
VIII. *Last Two Days at Westminster.*

I. "NEGOTIUM POSTERORUM."

A PERIOD of Eliot's life has now arrived where guidance is happily vouchsafed to us which we may accept without a misgiving. Among the papers at Port Eliot in his own handwriting, and of which the authorship is as manifestly his, exists a memoir of the first parliament of Charles the First.

That this manuscript, possessing great historical importance and an unrivalled personal interest, should have failed to attract any kind of notice for more than two centuries, which have yet been filled with a vivid interest for the subject it relates to, and with enquirers eager for any scrap of authentic information concerning it, is one of those accidents that not unfrequently attend old family papers. Its appearance is not inviting; it is

on the face of it a fragment, or intended portion of a larger work; and it bears a Latin title, of which the meaning is not immediately perceived. But upon examination it is found to be in itſelf complete; to contain a narrative of every incident and debate in the lower houſe, during its two ſittings at Weſtminſter and Oxford; and to include, beſides admirable ſummaries of the leading ſpeeches, reports of every ſpeech delivered by Eliot himſelf.*

The object with which it was compoſed declares itſelf beyond any queſtion. It was deſigned, evidently, to ſtand as portion of a work that ſhould relate to other generations, the parliamentary labours and ſtruggles in which Eliot and his friends of that exiſting generation had been engaged. Its plan would doubtleſs have embraced the parliaments of James in which he ſat, as well as thoſe in which he took part under Charles; and the unfiniſhed ſtate in which the manuſcript of this "ſecond" portion, as it is termed, reaches us, might have ſuggeſted its date, even if internal proofs did not determine it poſitively. At the cloſe of the firſt ſtormy ſeſſion of the great parliament of 1628, during the receſs when Buckingham was murdered and Wentworth went over to the court, it appears to have been begun; though not likely to have been brought into the ſtate in which we find it, until the author's later impriſonment. It probably then aſſumed the double character—of a memorial of the ſtruggles by which the ancient liberty had been reaſſerted, and of a monument to ſufferings undergone in ſo wreſting the petition of right from the king. The fulfilment of the deſign was interrupted by death; and how far it had proceeded, even, cannot with certainty be ſaid. It is quite poſſible that this ſecond part com-

* As if to clear all doubt, other copies of the ſame ſpeeches, many of them in greater detail (and notably one reſpecting Sir Thomas Wentworth), ſet down in Eliot's handwriting at the date of their delivery, and with his name affixed as the ſpeaker, exiſt alſo among the Port Eliot MSS.

priſes all that was ever written, as undoubtedly it is all now remaining at Port Eliot; though the fact of many books and manuſcripts having been loſt or deſtroyed when the manſion was repaired forty years ago,* leaves it doubtful whether ſome of the patriot's papers may not alſo then have periſhed. More cannot be known; but in what has ſurvived we have the record, not inſufficient however incomplete, of the opening ſcenes of one of the grandeſt conflicts in which the men of one generation ever engaged, to ſecure the happineſs and freedom of generations that were to follow.

In the very title given to his manuſcript by Eliot, that idea appears. Not for ourſelves we did theſe things, made theſe ſacrifices, underwent theſe toils and ſufferings; but for you. It was not our own buſineſs we were then tranſacting, but yours — *Negotium Poſterorum.*

Under the various ſections that follow in the preſent and ſucceeding book of Eliot's life, an unreſerved and liberal uſe will be made of theſe remarkable papers. Upon careful conſideration it ſeemed beſt ſo to employ them, as materials for this portion of my biography, with ſilent elucidation and enlargement when ſuch might be required; rather than to print them merely as they ſtand, at the riſk of the reader's confuſion, or, at the beſt, of his very imperfect underſtanding of them. In every inſtance in which an opinion is expreſſed, or a judgment paſſed, by Eliot, his exact words are quoted. Wherever incidents are deſcribed that are new to hiſtory, his authority is given. Where ſpeeches are cited excluſively from his abſtracts or reports, the fact is noted. Every alluſion borrowed from him with any perſonal bearing, is carefully aſſigned to him. All the characteriſtic features of what he had thus collected for poſterity are in effect minutely preſerved; and even the order of the ſeveral ſubjects as they aroſe on ſucceſſive days is followed, though each is

* I learn this circumſtance, with much regret, from Lord St. Germans.

completed and kept apart. The reader may rely with perfect confidence on the ſcrupulous preciſion and accuracy with which all that is eſſential in this remarkable manuſcript will thus be laid before him; nor probably will he follow with abated intereſt through the ſcenes it will open to him, if brief mention is here prefixed of the nature and variety of the ſubjects treated in the courſe of it, and of the importance of the diſcloſures made.

It bears remarkable evidence to the ſtate of feeling on the acceſſion of Charles, and to the eager loyalty with which the new reign was welcomed by the men who were ſoon to be its bittereſt opponents. Nor leſs curious and attractive are its ſketches of leading orators on both ſides, whether miniſters and privy councillors, or their adverſaries; divines who talked, as it is ſaid, like lawyers, or lawyers who ſpoke with the veracity and gravity of divines. Eliot ſketches almoſt every ſpeaker who preſents himself. He explains to us why Rudyard, in ſpite of his ornate and laboured preparation, had yet a reſpectful hearing from all; and what it was that gave ſuperior life to the oratory of Philips, redundant though it was, and with defects of manner in delivery, but always ready and ſpirited, ſuited ever to the occaſion as it aroſe, and in no reſpect laboured or premeditated. The houſe of commons two hundred and fifty years ago, was in theſe reſpects what the houſe ſtill is; and Eliot's remark that "in that place, always, premeditation "is an error," might have been written yeſterday. So, of the dry comment he makes upon the break-down in the houſe of a crack orator from Cambridge, when the gentleman "found that the cold rhetorick of the ſchools "was not that moving eloquence which does affect a "parliament," is it not preciſely what would now be ſaid?

It was to be expected that one who ſacrificed ſo much to uphold parliamentary privileges ſhould have noted

with intereſt their growth within the houſe, their recognition beyond it, and their effect in promoting order, and inſpiring deference and reſpect, by a ſettled and dignified procedure. On all theſe points Eliot ſpeaks with peculiar knowledge. He ſcrupulouſly defines the reſpective relations of the two houſes; he details the rules whereby not alone their joint proceedings were regulated, but the independent authority of each maintained; he explains the reaſons that dictated what too often inconſiderately were ſtyled mere cauſeleſs jealouſies; and with manifeſt pride he dilates upon the right which at laſt had been achieved by the commons, of determining within their own walls everything relating to their own elections. In eſpecial, there is one diſputed return that affords him ſubject for a ſtriking narrative, in which himſelf and Wentworth are the principal actors; and where not only a flood of light is thrown on their relations with each other, but the character of Wentworth receives vivid illuſtration. At the very moment when he ſtands at the turning point of his life, a profound and ſagacious obſerver ſees both his weakneſs and his ſtrength; and, as well in the power that raiſed as in the pride that ruined him, reveals to us the future Earl of Strafford. Such and ſo memorable is Eliot's notice of the petition preferred by Savile againſt Wentworth's election for Yorkſhire, written immediately upon Wentworth's going over to the court after the firſt ſeſſion of the third parliament.

Worthy of remark alſo is the conſpicuous prominence given in this memoir by Eliot, not only to the ſtrength and earneſtneſs of his own religious belief, but to the peculiar views he held upon the connection of politics with religion. He ſpeaks of the readineſs of the houſe to take fire upon queſtions in which religion was involved, as of a weakneſs in which he does not himſelf ſhare: but he points out, at the ſame time, how rare were the caſes in which the religious queſtions then prominent did not

include alſo conſiderations that ſtateſmen could not overlook; and he ſhows what a danger and unſettlement to the ſtate was implied, in the almoſt general relaxation of the penal laws againſt popery. The courſe taken in both ſittings as to the high-church champion, Montagu, only half-told hitherto, he tells at length; he ſhows how much the ſubject was embittered in the Oxford ſeſſion, by the claim put forth to ſcreen that offender as the king's chaplain, which would equally have protected from all cenſure by the houſe every ſervant and miniſter of the king; and the intrigues of biſhop Laud againſt archbiſhop Abbot, hitherto admitted but imperfectly, receive from him freſh illuſtration.

The charges moſt often, and with greateſt apparent ſhow of reaſon, brought againſt the firſt parliament of Charles the Firſt, by the favourers or advocates of that prince, have turned upon the alleged niggardlineſs with which, during a war to which the preceding parliament had been a ſtrong conſenting party, they doled out ſupplies that it had never been uſual, even in time of peace, to ſtint at the opening of a reign; and, above all, upon the affront offered to the young ſovereign by the propoſed limitation to one year of the grant of tonnage and poundage which his predeceſſors had enjoyed for life. So much, it has been always ſaid, was this reſented, that the lords refuſed not merely to paſs but even to entertain the bill.

As to this laſt charge, it will be ſeen that Eliot puts the matter in a new light. The bill when firſt introduced renewed the grant for life, but it was not laid on the table until nearly three-fourths of the members, believing that all matters of ſupply had been voted, and alarmed by the advancing ravages of the plague, had quitted London for their country houſes. Several queſtions then aroſe as to the new book of rates, and as to irregularities in collection; which, in the abſence from the houſe of the principal lawyers, led of neceſſity to the propoſed limita-

tion, not as a permanent but as a temporary meaſure. Every ſuppoſed right of the monarch was at the ſame time carefully protected; and ſo far were the lords from refuſing to entertain, that they had actually paſſed the bill, when the royal aſſent to it was refuſed.

Not leſs remarkable is Eliot's elaborate narrative of the debates on ſupply in the ſittings both at Weſtminſter and Oxford. Now began the diſputes which culminated in 1640; and, upon whichever ſide lay the firſt wrong of ſuggeſting or inflaming them, there reſted, as it has been always juſtly felt, a moſt grave reſponſibility. Eliot's vindication of the parliament upon this point is triumphantly complete. The ſtory is gradually told, purſuing each day's ſitting at Weſtminſter, from the firſt propoſition and grant of ſupply, not unaccompanied by diſtinct remonſtrance on the miſuſe of ſupplies formerly voted, but yet freely given and accepted as freely; through a ſeries of ſubſequent intrigues by Buckingham to compaſs his own private deſigns, in deſpite even of the more independent of the king's council, and manifeſtly to the injury of the king's ſervice. For the firſt time in hiſtory a ſufficient explanation is afforded, of the extraordinary unpopularity of this firſt and only miniſter that Charles ever really confided in. Buckingham at the outset, for reaſons of his own, connected partly with his previous pledges to ſome of the popular leaders, but more directly ariſing from the uſes to which already he contemplated applying the great fleet then preparing for ſea, had manifeſtly reſolved to break with the parliament at whatever coſt. Moſt clearly is this eſtabliſhed, and it is a fact of the laſt importance. Buckingham's conduct on any other ſuppoſition would be utterly incredible. He permitted the king to accept graciouſly a money-vote, which was not illiberal or inſufficient; he ſuffered three-fourths of the members, under the belief that all the important buſineſs was over, to quit London; and from the few that remained he ſought to wreſt an

additional vote, by a ſtatement and meſſage compromiſing the king, and not ſubmitted by any miniſter but by an officer of his own. So diſmayed indeed were ſome of the other miniſters at his interference to diſturb the ſettlement of what they could not themſelves but admit to be a fair vote of ſupply, that they reſorted to the extreme meaſure of attempting to exert influence over him by means of one who had formerly enjoyed his confidence, and who, though now prominent among the leaders of the country party, had not been mixed up with the ſecret underſtandings of the laſt parliament. This curious incident marks definitively the cloſe of Eliot's perſonal intercourſe with Buckingham.

At the ſpecial requeſt of the chancellor of the duchy, Sir Humphrey May, the vice-admiral went to the duke; and, though he failed to turn him from his purpoſe, the record of their interview, as the reader will hereafter find it in this memoir, completes a piece of ſecret and as yet unpubliſhed hiſtory remarkable as any upon record. It proves that Buckingham's deſign, expreſſed in almoſt ſo many words to Eliot, was to obtain ground and excuſe for a rupture with the commons; and no doubt can further reſt, after reading it, upon either the character of the former intercourſe of the duke and his vice-admiral, or the circumſtances of their final ſeparation. They never met again until they met as accuſer and accuſed; and if anything of ſervility or dependence had entered into their preceding relations, Eliot could neither have ſpoken as he did at his ex-friend's impeachment, nor have written as he does in the memoir of his ſycophants and flatterers. In his own private chamber as in the lords' houſe his tone is the ſame. He holds ever to Buckingham the ſame front of ſelf-reſpect, reliant and independent.

By the failure to bend the favourite from his purpoſe, and the reſolve of the houſe notwithſtanding to adhere to theirs, the Weſtminſter ſeſſion was brought abruptly to

its cloſe; but it will be ſeen that while the commons had ſucceeded in paſſing the ſupply bill in its original ſtate, they were utterly unprepared, upon going up to the lords on the day of prorogation, for the announcement that there awaited them. That was Buckingham's retort to the affront he had received. They had deſired a receſs that ſhould enable them to ſtay at their reſpective homes until the plague ſhould have abated ſomething of its virulence; and, by voting what was believed to be ſufficient for the immediate wants of the ſtate, they had entitled themſelves to ſo much conſideration. But, to the diſmay of all who were preſent at the prorogation, they were told that they muſt meet again in little more than a fortnight, and at a place where already it was known that the plague had ſhown itſelf. From that hour no man of the country party in this parliament doubted what the favourite had in view, or believed that any good underſtanding with him was for the future even poſſible.

Brief as the interval of the fortnight was, ſome noticeable incidents occurred therein; and it will be ſeen how nearly they concerned Eliot, and what effect they had in finally determining his poſition of unrelenting antagoniſm to his former friend. In this portion of the memoir, as in that where he relates his unavailing interceſſion with Buckingham, he ſpeaks of himſelf in direct terms as the vice-admiral of Devon; and what he ſtates as his official experience of the ill-working of the commiſſion, which together with the lord-admiral then adminiſtered the affairs of the navy, is an important contribution to our knowledge of theſe matters.

The proceedings of the Oxford ſeſſion are reviewed in even greater detail than thoſe of the ſitting at Weſtminſter; and the intereſt deepens as the narrative goes on. Each day adds to the growing diſcontent, until at laſt the meaſure overflows. The members meet amid fears and ſuſpicions, ſtrong though ſilent; but before they ſeparate, theſe have taken the form of expreſſed diſtruſt,

and all but open defiance. Hiſtory acts itſelf over again before us, and, connected with its leading incidents, we have its ſecret actuating cauſes. The diſaſters of the reign have had no ſuch practical or concluſive comment as Eliot's picture of its opening ſcenes will afford. It is not that we are liſtening to the arguments and reaſoning of a partizan and actor in the ſtrife; but that, by a rare and unexpected privilege, the curtain of the paſt is uplifted for us, and we ſee and hear what was ſaid and done on either ſide, at the critical moment which was to decide the poſition of both. The pains which Eliot takes plainly and ſtrongly to ſet forth the ſteady and increaſing march of diſcontent againſt one, are not more marked or remarkable than his manifeſt wiſh to do juſtice, irreſpective of that principal offender, to all. Theſe portions of his memoir contain ſketches of ſome of the ſpeeches delivered, as well by miniſters as their opponents, which even in this compendious form exhibit a tranſcendent merit. In eſpecial, beſides his own ſpeeches, there will be found ſpeeches by Sir Francis Seymour and Sir Robert Philips, and one reply by Sir Humphrey May, that ſeem to me to take rank with the higheſt examples of eloquence in this great time.

Enough has been ſaid, however, to indicate the character and general contents of the manuſcript from which the preſent and next following book of this biography will be found to derive ſuch value and intereſt as they poſſeſs. To name here more ſpecially the eloquence thus preſerved of which we have no other record, the ſpeakers deſcribed to whoſe peculiarities no witneſs elſe has ſpoken, and the incidents that receive an explanation until now withheld, would be to anticipate what will appear in its proper place, in all needful detail. It is to be regretted that the narrative ſhould cloſe where it does, but its value does not ſtop at that point of time. By the clue it gives, and the light it affords us, we ſhall find our way more clearly through ſome later events and occurrences. Nor, after the ſtory of this parliament is told, when, upon that

ſudden and angry diſſolution which no one more than Clarendon has deplored, the country is ſeen breaking itſelf up into two parties oppoſed indeed to each other but neither of them zealous for the king, could Eliot by any elaboration of eloquence better have expreſſed the ſtate of men's minds and purpoſes, than by the brief but pregnant ſentences which cloſe his narrative.

"Thoſe that were fearfull, did encline to ſome accom-"modation and reſpect. Thoſe that were reſolute, and "had hearts anſwearable to their heads, inſiſted on their "grievances."

II. Opening of the Session.

The death of James had been followed generally, there can be no doubt, by a ſenſe of extraordinary relief. The ſecurity that is full of fear, becauſe founded on the degenerate vices born of a long-corrupted peace, with him had paſſed away. Men aroſe as if from a dream. The appeal of the leaders of the two laſt parliaments had reached them, and with it the expectation, that, as the power which ſought to ſilence them was now for ever ſilent, the country might reſume its place at the head of the proteſtantiſm of the world. A new ſpirit of life, ſays Eliot, poſſeſſed all men; as if the old genius of the kingdom, having with Endymion ſlept an age, were now awake again, and a ſucceſſor to their great queen at laſt was come.

What imperfectly was known of the character of Charles the Firſt favoured theſe expectations. His religious practice and devotions had given him a reputation for piety; and, as well by his having reſiſted the temptations of Spain, as by "his publick profeſſions being "from thence returned," joy and hope gathered about his perſon. What, through all the darkneſs and miſery of his fatal government has yet been accepted as probable by modern inquirers, his contemporaries were eager to

welcome, and more than ready to believe. Many were moved, ſays Eliot, by what ſeemed to be the innate ſweetneſs of his nature; the calm habit and compoſition of his mind; his exact government while prince in the economy and order of his houſe, in the rule of his affairs, and in the diſpoſition of his ſervants; whereby his honour had been maintained, yet no thrift neglected. Nor leſs had he been dutiful and decorous in his care for public buſineſs, in apparent ſtudy to improve his knowledge in the ſtate by diligent attendance at councils, and in ſelection of his modes of exerciſe and recreation. But above all, his conduct in the Spaniſh buſineſs had coupled expectation with his name. The diſſolution of the treaties was in effect his. To him practically was due "the "untying of thoſe knots, the cutting of thoſe Gordian "yokes." If the old national wiſdom and proweſs were to revive; if the memory was to be loſt of later ſufferings and ſhame; if the end had come to what ſo long had impoveriſhed and lowered England, conſuming at once her honour and her treaſure; his would be the glory. In confirmation of which hopes of a happier future, Eliot adds, "as that which was to be the aſſurance of them all, "and of whatever elſe might import the happineſs of the "kingdom," there went forth writs for a parliament.

Such emulation for ſervice in the commons had not been ſeen till then. Several elections were hotly conteſted, and many favourites of the court beaten: but the latter were ſuppoſed to belong to the ſyſtem of which the new reign was expected to be the cloſe, and candidates moſt oppoſed upon the huſtings yet rivalled each other in proffered ſervice to their young king. "The mem- "bers choſen," ſays Eliot, "forthwith repaired to "London, to make their attendance at the time; no "man would be wanting; love and ambition gave them "wings; he that was firſt ſeemed happieſt; zeal and "affection did ſo work, as even the circumſtance of "being firſt was thought an advantage in the duty."

Such is the remarkable language (itſelf an ample refutation of the reproaches in which Hume and his followers have largely indulged), uſed at the opening of this reign by the man who was deſtined to be its moſt illuſtrious victim. Some change was to be wrought, however, even in the brief interval before the new parliament. Two prorogations delayed the meeting, firſt to the cloſe of May, and then to the middle of June; after which, formal adjournments made further delay, to admit of the king's arrival with his young Roman-catholic queen from Canterbury, whither he had gone to meet her. At laſt, on Saturday the 18th of June, while increaſing ravages of the plague were ſaddening London, and the ſplendour of the new Roman-catholic alliance was already overſhadowed by rumoured conceſſions made to it, Eliot found himſelf ſtanding near the throne of the lords, with a crowd of his colleagues from the lower houſe, liſtening to Charles the Firſt's firſt ſpeech to parliament. They ſaw the young queen herſelf as they entered; and, "in a place below the corner of the ſeats," the French king's kinſman Chevereux and his ducheſs, who had accompanied her to England.

Many faces more familiar Eliot muſt alſo have ſeen, as he looked around. Bedfordſhire had ſent up Sir Oliver Luke, and from Launceſton and Liſkeard had come Bevil Grenvile and William Coryton. Mr. Hampden of Great Hampden had been returned for Wendover, Sir Robert Cotton for Thetford, Sir Edward Giles for Totneſs, William Strode for Plympton, and Richard Knightley for the county of Northampton. The men who chiefly had led the laſt two parliaments were alſo here; Philips for Somerſetſhire, Wentworth for Yorkſhire, Coke for Norfolk, Pym for Taviſtock, Sir Dudley Digges for Tewkesbury, Seymour for Wiltſhire, Sandys for Penrhyn, Glanvile for Plymouth, Rudyard for Portſmouth, and Edward Alford for Beverly. The northern men had muſtered ſtronger than uſual. Wentworth and Fairfax had

beaten the Saviles in Yorkſhire, not fairly, it was alleged; but Mallory ſat ſafely for Ripon, Wandesforde for Richmond, Radcliffe for Lancaſter, Vane for Carliſle, Fenwick and Brandling for Northumberland, Anderſon for Newcaſtle, Lowther for Weſtmoreland, the two Hothams for Appleby and Beverly, Hutton and Slingſby for Knareſborough, Beaumont and Jackſon for Pontefract, Ingram for York, Bellaſis for Thirſk, and Selby for Berwick. Some capable men there were to repreſent the king's council, too; as indeed ſore the need was that there ſhould be. Weſton, chancellor of the exchequer, ſat for Kellington; Edmundes, treaſurer of the houſehold, for Oxford-univerſity; Naunton, maſter of the wards, for Cambridge; Heath, ſolicitor-general, for Eaſt Grinſtead; and Sir Humphrey May, chancellor of the duchy, for Lancaſter. Of theſe the ableſt was the laſt. In early life, May had ſerved in Ireland under the Earl of Devonſhire; and his experience of public affairs, at a time when men of capacity directed them, had rendered him ſomewhat impatient of the incapacity of Buckingham. He would hardly at this time have been retained in the council, but for the fact of his being almoſt the only man there who could oppoſe to the popular leaders an eloquence only inferior to their own.

To counteract this better influence, however, the favourite had provided himſelf with an eſpecial inſtrument; poſſeſſing no brilliance of talent, and yet rather bookiſh and clerkly than of eſpecial aptitude for buſineſs; formerly ſecretary to Sir Fulke Greville, but to whom the lord-admiral had lately given one of the commiſſionerſhips for the admiralty; and whom he now deſigned to put forth, though with no official reſponſibility, and in the illneſs and abſence of Sir Albert Morton, as a ſubſtitute ſtate-ſecretary for the lower houſe. This was Sir John Cooke, of whoſe fortunes here was the beginning; returned for the borough of St.

Germans much to the diſlike of Eliot, who nevertheleſs had been able to make his local influence ſo far felt as to compel Cooke in turn, quite as much to the favourite's diſlike, to accept for his colleague Sir Henry Marten, with whom, ſince the old Marſhalſea days, the vice-admiral had improved his friendly intercourſe. They would ſeem to have been gradually drawn together by a common experience of the defects of Buckingham's character; and it was this growing diſſatisfaction on Marten's part with the conduct of public affairs which had impelled him, while ſtill holding place under the chief miniſter as judge of the admiralty, to ſeek now, for the firſt time, a ſeat in the commons.

There, for the firſt time alſo, had been returned three men from his own county whom Eliot would perhaps have regarded with greater intereſt, if he could have ſuſpected how cloſely, and on whoſe behalf, they were likely to be watching him. Theſe were Mr. Drake, member for Lyme; Mr. James Bagg, member for East Loo; and Mr. John Mohun, member for Grampound.

The royal ſpeech was ſhort, Charles opening it by referring to the phyſical defect that indiſpoſed him to any long addreſs. He aſſumed that they were all ready to carry out what their predeceſſors in the laſt parliament had begun. He knew their zeal and affection to religion, and that matchleſs fidelity to their king which was the ancient honour of the nation. The lord keeper would explain to them further. His own natural diſability to ſpeak held good correſpondence with the time. That being deſigned for action, diſcourſe would not fit therewith.

We did not diſlike either the ſenſe or ſhortneſs of this expreſſion, ſays Eliot. "Wearied with the long orations "of king James, that did inherit but the wind," this brevity and plainneſs drew a great applauſe. Liker to truth than art, it fell in with the opinion thoſe country gentlemen of England ſtill dared to cheriſh, that with

the manners of their anceſtors they might reſume their fortunes, and in that turn and revolution of events "meet the old world again."

From the lord keeper's paraphraſe of the royal text, however, there dropped a note of diſcord. After highly ornamental exordium, and intimation that their new ſovereign had work in hand whereby Europe would be ſtirred as the Pool of Bethesda by the angel, he told them that the Mansfeldt army, and the fitting out a navy that might be called invincible, had ſwallowed up all the money voted in laſt parliament, and now their buſineſs would be to give, without ſticking too much to precedents. If they found the uſual way too ſlack, they were not to fear, in an occaſion of ſuch conſequence, to reſort to others more fit. All were ſubventions that they granted, *nor could that be unparliamentary which was reſolved by parliament.* At this remark of the too clever biſhop immediate murmurs of diſſent were heard. To ſuffer it to paſs unchallenged, would have been to place at the diſpoſal of the hour rights that had been acquired through centuries; to make the ſervants of the parliament its maſters; and to ſend both houſes adrift, without compaſs or rudder, upon the rocks and breakers that ſurrounded them. As they crowded back to their own chamber for election of a Speaker, the commons' leaders doubtfully exchanged theſe thoughts.

They were ſomewhat reaſſured when one of the privy councillors roſe and ſuggeſted ſerjeant Crewe for the chair. He was the younger brother of the honeſt chief-juſtice, and he had ſerved the office in the preceding parliament; an office theretofore too frequently filled, Eliot remarks, by "nullities," men ſelected for mere court convenience. On the other hand, their privileges might be counted ſafe in keeping of a man whoſe eloquence had moſt nobly guarded them when in danger. Nature and art, ſays Eliot, concurred to make him equal to his place. He was a great maſter of the law; in his ſtudies religion had

ſo ſhared, as to win for him ſpecial name and reputation; and his life and practice anſwered to both. Moſt apt alſo to the employment he ſuſtained, was his elocution.* On all occaſions of the time he could expreſs himſelf "pulchrè et ornatè," even as Quintilian conceives the perfect orator, "pro dignitate rerum, ad utilitatem tem-"porum, cum voluptate audientium."

His election over, with what Eliot calls its formalities of "pretended unwillingneſs in him, and importunity in "us, with much art and rhetorick on both ſides, uſual "more than neceſſary," they returned to the lords' houſe; and, in the old conſtitutional form, Crewe aſked the king for immunity to themſelves and their ſervants eundo et redeundo, freedom from arreſt, continued acceſs to the royal preſence, and free ſpeech according to their antient privilege. Frankly, in proffering this petition, the Speaker adviſed the young ſovereign, that in compariſon of a parliamentary way he would find all other courſes to be out of the way; told him that his imperial diadem ſhone all the brighter, in that it was enamelled and compaſſed with a beautiful border of the antient and fundamental laws; and gravely counſelled him to have it in perpetual remembrance, that thoſe fundamental laws were what held the body of the commonwealth together, and that, *being ſuitable to the nature of the people, they were ſafeſt for the ſovereign.* Again through his lord keeper, and more graciouſly, the ſovereign† replied. He called the ſubjects of their petition the four corner ſtones of that noble building, their houſe, and granted them all without any bound or limitation more than their own wiſdom and moderation ſhould impoſe.

The remark made by Eliot, in characteriſing and contraſting the ſtyles of the reſpective ſpeakers on the

* For ſpeeches by him, ſee *ante*, pp. 105 and 108.

† "The interim was little," ſays Eliot's MS, "yet a while he ſeem'd to "ſtudy the recollection of ſome notes he then had taken."

occaſion, ought not to be omitted. There was moſt of the divine, he ſays, in the lawyer; and moſt of the law-like in the divine. The biſhop diſplayed a ſtudy and affectation both in his compoſition and delivery, which the ſerjeant declined, ſeeming thereby more natural, and not leſs eloquent. In both were to be remarked oratorical brilliancy and ornaments; but in the one flaring forth without relief, and in the other harmoniſed by ſhadow and repoſe. "Both had their *igniculi* "*ſententiarum* and *floſculi ingeniorum:* but by the biſhop "they were rendered to all ſatiety and fullneſs, as beauty "ſet to ſale; whereas the other made them like ſtars "ſhining in the night, *admirabili quadum illuminatione,* "*ſed umbram habens et receſſum.*"

In concluding this portion of his paper, Eliot again obſerves upon the ill-reliſh and reſentment provoked by the lord keeper's "inſinuation to new ways, under the "fallacy put forth that all that is done by parliament is "parliamentary;", contraſting it with another of his phraſes that had been better liked, wherein he had termed their privileges the corner ſtones of the houſe; and with a mournful ſignificance he adds, that that latter expreſſion ſeemed at firſt to carry promiſe, but ſoon was blighted. "States, as divines, uſe gloſſes on their texts. But, for "the inſtant, ſatisfaction was pretended; and both houſes "thereupon prepared them to their buſineſs."

Having preſented this picture of the opening of Charles's firſt parliament, as viewed by one of the leaders of the houſe of commons while yet the hope of conciliation and agreement had not abandoned either ſide, it is now neceſſary to place beſide it what hiſtory has ſince diſcloſed, of events only partially known to their contemporaries when thoſe firſt ſpeeches were delivered, and of which the full revelation brought on ſpeedily the ſtorms and troubles of the ſeſſion. Eliot marks the

doubts that had ariſen, between the iſſue of the writs and the aſſembling of the members; but, as all his ſubſequent narrative tends to ſhow, they went, even at firſt, deeper than he has above related.

Notwithſtanding the breaking out of the plague, Charles had been eager at once to get parliament together. But this, which Eliot and his friends took for ſo fair an omen, had no better motive than the conſciouſneſs that his chance for moſt money was to aſk before certain diſcloſures were made, ſhortly to be inevitable. He would have ſummoned the parliament of the preceding reign without delay of a new election; but, on his lawyers telling him that a parliament dies with a king, he directed writs to iſſue for the 17th May, ten days after his father's funeral.

Of the excitement that prevailed at the elections there can be no queſtion, though it may be doubtful whether, as Eliot ſtates, the eagerneſs to ſerve under a new king may not have been as operative as the deſire to oppoſe abettors of the old policy. Conway, now principal ſecretary by Calvert's retirement, and raiſed to the peerage not many days before James died, was fain to congratulate himſelf on his eſcape, in that ſerene elevation, from the troubleſome neceſſity of facing the people. In Middleſex the comptroller was defeated; and Sir Edwin Sandys* loſt Kent becauſe of the rumours that he was to be made ſecretary in Calvert's place, though the office had been given to Sir Albert Morton. Eliot offered again for Newport, and was returned with a new colleague, Mr. Ralph Specot. But even in the month's interval between the day when the writs were returned, and the day of the parliament's aſſembling, there had occurred what might have ſerved to deſtroy far greater grounds of con-

* Sir Edwin, one of the greateſt ſpeakers in James's parliaments, became treaſurer to the undertakers of the Weſtern Plantations, and died in 1629. He took little part in public affairs after James's death. Six of his ſons ſided with the parliament in the civil war.

fidence than any to which poſſible pretence could in this caſe be made, as from a new parliament to an untried king.

The French match had brought with it much unpopularity. The marriage to a Roman-catholic princeſs was bad enough, after all that had paſſed in the previous reign; but it was found to have been accompanied by ſecret conceſſions to popery, which violated every ſolemn pledge given but a few months before; and ſo much of Lord Briſtol's caſe was become matter of common rumour as revealed the deceptions practiſed by the king and Buckingham.* The conceſſions to the faith repugnant to the Engliſh people had been alſo fitly accompanied by disfavour to the opinions they moſt ardently cheriſhed. Eight days only had paſſed after the death of James when Laud went to Buckingham with a paper he had been directed to prepare. "I exhibited a ſchedule, "in which were wrote the names of many churchmen, "marked with the letters O and P. The duke of "Buckingham had commanded to digeſt their names in "that method, that as himſelf ſaid, he might deliver "them to king Charles." † The Orthodox, or thoſe who held church doctrines favouring moſt of popery, were alone now to be promoted; the Puritan, or all

* Buckingham left for Paris to bring over the young queen on the day following the funeral. It is curious and inſtructive to obſerve the entries in *Laud's Diary*: "May 11. Early in the morning, the duke of Buck-"ingham went towards the ſea ſide, to paſs over into France to meet the "queen Mary. I ſent letters to the duke that day, which might follow "after him; for he went in great haſte." "May 19. I wrote letters the "ſecond time to the duke of Buckingham, then ſtaying for a while at "Paris." "May 29, Sunday. I gave a third letter into the hands of the "biſhop of Durham, who was to attend the king" [Charles was to meet his queen and Buckingham at Canterbury], "that he might deliver them to "the duke of Buckingham on his firſt landing." "May 30. I went to "Chelſea, to wait upon the ducheſs of Buckingham." "June 5, "Whitſunday. In the morning, juſt as I was going to prayers, I received "letters from France, from the moſt illuſtrious duke of Buckingham." "June 6. I wrote an anſwer." "June 8. I went to Chelſea." "June "12, Trinity Sunday. Queen Mary croſſing the ſeas."

† *Laud's Diary*, Tueſday, 5th April, 1625.

who were in favour of ſimpler worſhip and moſt oppoſed to Rome, were in future to be perſecuted. And thus began the ſyſtem of which the effects were ſo appalling to its authors.

Though the whole of this was not known at the opening, or during the firſt ſitting, of parliament, ſufficient had even by that time oozed out to throw changes of vexation, as we ſhall ſee, on what Eliot has ſo forcibly deſcribed as the eager and popular welcome to the opening reign from the people to their new ſovereign. Already, when he went to open parliament that day, thoſe freſh and natural ſprings of confidence had been poiſoned.* In his very progreſs, ſounds of the ſame diſtruſt had reached him which was ſoon to ſcatter ſeeds of diſaffection everywhere, and to plant bitter thorns in the crown that as yet he had ſcarcely aſſumed. Nor, though the royal ſpeech was plain and brief, as Eliot celebrates it, were he and his colleagues more diſposed, a very few days later, to think it other than churliſh and ungraceful, when, by the light of the diſcoveries they had then made, they read over again its blunt avowal that parliament had drawn him into a war and parliament muſt find him means to maintain it.

Upon that war, though not yet formally declared, the extent to which the court had committed itſelf, was then made only too obvious by diſcloſure of the meaſures they had adopted to facilitate the raiſing of troops, and to haſten equipment of the fleet. Martial law was found to have been proclaimed in diſtricts occupied by troops and seamen; and there had been a levy of coat

* "Though it had been cuſtomary to give credit to the profeſſions of a "new ſovereign, nothing was heard but the miſleadings of fanaticiſm and "the murmurs of diſtruſt." So ſays Lingard. But ſurely he gives ſufficient reaſon, by a remark which ſhortly precedes this: "If he had refuſed "one Popiſh princeſs, he had ſubſtituted another; if he ſwore to grant "nothing more to his future wife than the private exerciſe of her religion, "he had within a few months violated his oath, by promiſing in her favour "toleration to all the Roman-catholics in his dominions." *Hiſt.* vii. 144.

and conduct money by the king's sole authority, upon engagement to the counties for reimbursement from the exchequer. At the same time, the pretence on which the old court had joined in the popular clamour for war, the earliest acts of the new court now showed to be a falsehood. The sole condition of further supply from parliament had been violated. The money given had been scandalously wasted. To much that was formerly complained of, much had been added; and more than ever, notwithstanding royal engagements solemnly entered into during the last sitting, were all offices and favours of state, and the application of all moneys and revenues of the crown, entrusted irresponsibly to one man. Popish divines, disqualified by Abbot, had been reinstated in power; penal laws had secretly been suspended; special pardons for offences against those laws had been granted to many Roman-catholic priests; and the very shames and resentments had again been actively roused, which were to have been scattered for ever by the war with popish Spain.

Not yet, however, as I have said, was this entirely revealed. Eliot's description of the proceedings of the sitting at Westminster will be found strictly confined to what passed in that interval; while the disclosure of much of this misgovernment, not fully known till the subsequent sitting at Oxford, was only as yet in progress. But it will be seen how speedily the grounds of suspicion that had arisen were confirmed; in what a deliberate intention on Buckingham's part the disagreement with parliament began; and that the course ultimately taken by the commons arose from no ungenerous or preconcerted plan of opposition to a young and untried sovereign, as frequently has been alleged, but from the gradual discovery of plan and concert on the part of the court, involving danger to the government and to religious freedom.

Before relating, from Eliot's papers, the way in which

these diſcoveries were made, and the reſults that followed hard upon them, it will be well to deſcribe the poſition aſſumed by the lord keeper, which had ſome important conſequences. The wily biſhop was now playing a ſecret and ſomewhat bold game. He knew enough of the ſecret councils to ſee the danger Buckingham was in; and with what alacrity of ſinking he was likely to fall, when once the deſcent ſhould begin, "from the greateſt "height of popular eſtimation that any perſon had as-"cended to" (to quote Clarendon's expreſſion), down to the depth of calumny and reproach.* He had, moreover, the wit to ſee that if the preſent favours to biſhop Laud continued, his own further chances were for ever gone. The communication, therefore, with "the "dangerous men of the houſe of commons," "the chief "ſticklers," as he called the principal parliamentary men, which formerly he had opened in Buckingham's intereſt, it had now occurred to him to try for his own; and it is clear, from the nature of the revelations made by his friend and biographer, that his plan was to play off ſome of the more influential men againſt the others, to get ſuch maſtery of their plans againſt Buckingham as he might uſe upon occaſion either for or againſt him, and, according as he found the temper of the king, either to eſtabliſh himſelf upon the favourite's ruin, or by ſaving him, to prefer ſuch a claim for favour to himself as would give him the advantage over Laud.† The courſe of the intrigue, its incidental unſeemly quarrels,‡ and its reſult, will ſhortly

* *Hiſt.* i. 9. (Ed. 1839.)

† *Scrinia Reſerata.* Part ii. p. 14–16.

‡ A lively account of it, with the faults of ſtraining and over-ingenuity, will be found in Mr. D'Iſraeli's *Commentaries*, i. 249–272. It was a Peachem and Lockit affair, and Mr. Brodie has aptly ſo illuſtrated it. "Never," ſays that thoughtful moraliſt Jonathan Wild, "never truſt "the man who has reaſon to ſuſpect you know he has injured you." Williams and Buckingham acted with deciſion on this maxim; and while the lord keeper intrigued for the duke's ruin, the lord-admiral counter-plotted for the ruin of the biſhop. See Brodie's *Brit. Emp.* ii. 81; and Hacket's *Scrinia Reſerata*, part ii. pp. 13–25. See alſo Ruſhworth's firſt

be ſeen. Two of the chief perſons meant to be involved were Eliot and Wentworth.

Hacket has deſcribed their relations at the outſet of the parliamentary ſtruggle. "Sir John Eliot of the "Weſt, and Sir Thomas Wentworth of the North, both "in the prime of their age and wits, both conſpicuous "for able ſpeakers, claſhed ſo often in the houſe, and "cudgelled one another with ſuch ſtrong contradictions, "that it grew from an emulation between them to an "enmity." The good biſhop-biographer might have expreſſed himſelf more ſimply. The diſlike between the men was of leſs gradual and far-fetched growth; having at once declared itſelf, with reaſons perfectly intelligible, while the parliament ſtill ſat at Weſtminſter. This will have ample illuſtration in its proper place; and here it is only neceſſary to add, before reſuming a narrative to which extraordinary intereſt will be given by Eliot's deſcriptions of what paſſed within his own obſervation, that the poſition of antagoniſm to Buckingham into which that favourite's perſonal diſlike, ſeconded by Williams's intrigue, had for a time forced Wentworth, appears for a time alſo to have held Eliot doubtful as to his own courſe. The lord-admiral continued to be chief of the department in which he was himself a high officer, and they were ſtill in the habit of intercourſe, though the old confidences and compliances had certainly ceaſed. The relation Eliot once held to Buckingham was now borne by ſycophants and flatterers; but the duke had not openly broken the bond between them, and Eliot could not be the firſt to break it. It is to be added that his diſlikes, and Wentworth's partialities, to Spain, put ever a wide

volume. In all their diſputes, however, I think Williams, abominably ſervile and diſhoneſt as he is, has the advantage; and he muſt have ſtartled Buckingham not a little when he offered him one very ſenſible piece of advice, which has continued to be as applicable to all generations of ſtateſmen ſince as it remains for all to come: "Let the members of the houſe of commons "be treated fairly and friendly, for no man that is wiſe will ſhow himſelf "angry with the people of England."

diſtinction between them as to public policy. Eliot approved of the war, only deſiring that the enemy ſhould be openly declared; and, while proteſting againſt the miſuſe and waſte of what already had been granted, he would have voted, under better security for their application, all needful further ſupplies. At the very outſet of the ſeſſion, it will be ſeen, this brought him into diſagreement with Wentworth; but a graver conflict between them was to follow.

III. Rules and Orders of the House.

The tone adopted by Eliot, even before cloſing his deſcription of the opening-day of parliament, ſhows how quickly hope was to give way to diſappointment. Only two days later, and the reply to the Speaker's addreſs had confirmed the evil omen. They muſt not, they were told, be impatient in the matter of jeſuits, prieſts and recuſants; but muſt leave it wholly to his majeſty's direction, for matter, manner, and time. They accepted the untimely aſſurance as a warning to protect themſelves. It was clear that the ill-cemented league of the laſt ſeſſion had fallen aſunder, and that men were again ranging themſelves on oppoſite ſides, as preparing for a conflict.

The parliamentary leaders had no call to ſhrink from the iſſue likely to be raiſed, or from the duty it preſented to them. The popular ſtruggle with the court had now continued unceaſingly for more than twenty years; and though the commons had gained little in the way of formal enactment, there had been gains of another kind which made the ſtruggle leſs unequal. By their ſucceſs over James in the matter of impoſitions; by their defeat of the aſſumed prerogative to bind the ſubject by a proclamation, and to levy cuſtoms at the outports; and by their reliefs to trade in overthrowing monopolies; they had drawn their conſtituents cloſer to them, and made their influence ſenſibly felt in the daily life of the people. But

above all, they were themſelves now better equipped for battle. They had, after long and arduous ſtruggle, achieved the excluſive right of determining their own conteſted elections. They were at laſt ſupreme in their own affairs. They had compelled the admiſſion of their claim to debate freely all public matters. They had ſolemnly proteſted againſt any member's reſponſibility except to the houſe, for words ſpoken within it. And they had won back the awful right of impeachment againſt miniſters of the crown. Whatever remained to be done, theſe things made it eaſier to do; and in a daily-increasing energy in the nation itſelf, they ſaw their own ſtrength reflected, and knew that the confidence they felt had its root in the ſympathy of the people.

The methods of procedure now eſtabliſhed in the commons' houſe compriſed already much that hiſtorians are too apt to ſuppoſe had no exiſtence before the parliament of 1640, and in themſelves they are evidence of a ſettled conſciouſneſs of power, and of a knowledge of the means whereby the power was to be ſuſtained, in every reſpect remarkable. In conſidering them the fact is never to be loſt ſight of, that none of the opportunities for direct communication with the people which exiſted even a century later, exiſted then; that, upon their own rules and orders, and internal management of their affairs, reſted not merely the hope of ſupport from friends without their walls, but the ſole chance of protection againſt treachery within them; and that what is now too readily aſſumed to have been jealouſy or tyranny, ſeldom or never exceeded what was barely neceſſary to maintain for them independent exiſtence as a body in the ſtate.

The firſt thing done on the aſſembling of a new parliament was the appointment of a committee for privileges; precedence belonging of neceſſity to that on which their very being depended. To this, which was a ſtanding committee, were referred all acts reflecting againſt, or tending to impeach, the rights of the commons; where-

upon, examinations and evidence being taken, reports were made to the houſe for needful prevention and puniſhment. The grand buſineſs of this committee in a new parliament was determination of election diſputes. All doubtful returns were referred to it; and moſt jealouſly did it guard the invaluable privilege, won at ſo much coſt and pains, of determining the rights of memberſhip within their own walls.

But beſides the committee of privileges, it had now become the cuſtom to appoint, ever, at the opening of a parliament, three grand committees, alſo permanent and ſtanding, for religion, for grievances, and for courts of juſtice. The whole houſe ſat in theſe committees, the Speaker only quitting his chair; and they had their weekly days aſſigned to them. They took general cognizance of all matters under thoſe ſeveral heads, examined all complaints, and had power to ſend for all perſons and records. The corruptions and injuſtices of courts, exactions by their miniſters, oppreſſions of the people, abuſes and enormities in the church, were brought before them reſpectively; "and theſe," Eliot remarks, "they diſcuſs "and handle for the knowledge of the facts, and if they "find them faulty, worthy a publick judgement, thence "they are reported to the houſe, which thereupon pro-"ceeds to cenſure and determine them."

In the ſame paper Eliot refers to the procedure in private committees, which he deſcribes as tranſient, and ſelected of ſome few proportionable to the cauſe, but as having in their ſphere and compaſs an equal power and intereſt with committees of the whole houſe. He explains the courſe taken as to the firſt and ſecond reading of bills, in terms that ſhow how faithfully the traditions of this great time were continued through the later years. The firſt reading, he ſays, was only formal: a bill being ſeldom or never then ſpoken to, unleſs on points of rejection and denial; and on theſe rarely, if there were colour for the intention, even though there might be

imperfections in the draught. But at the second reading all objections came in. Then were particulars both of the form and matter argued and debated; and thereupon it passed to commitment, where, by answer and reply, the discussion might be freer in the counterchange of reason and opinion. "This latter," continues Eliot, "is not admittable in the house, where, to avoid contest-"ation and disorder, which replies and contradictions "might induce, and to preserve the gravity, no man may "speak in one day, and to one business, above once;* "though he would change opinion, which in committees "is allowable. And therefore, upon the second reading "of bills, they have such reference and commitment; "that, there, they may the more punctually be considered, "and so come to the exacter reformation and amendment. "In general, all committees are for preparation and dis-"patch: the judgment and conclusion is the house's. "To facilitate that court in the multiplicity of her "labours, these are the Argus and Briareus. The com-"mittees are the sentinels upon all affairs and interests: "dissolving the difficulties, which their greatness or "numbers do impart." And closely connected with them, it will be seen, and with the powers and duties they represented or enforced, were the grounds first taken for conflict and opposition in this first of Charles's parliaments.

But before I proceed to describe these, such other few notices from Eliot's papers may be added as will further show into what a settled system the lower house had already thrown its forms of procedure, and its laws for its own government. They derive additional interest from establishing an earlier date than is fixed in *Hatsell* for some of the rules most identified with modern parliamentary practice.

* This rule appears to have been settled, "for avoiding replies and heat, "and not to spend time," during the great debating excitements which preceded the dissolution of the parliament of 1620. See *ante*, 105–110.

With extraordinary jealouſy the commons watched any interference by the ſovereign, or the other houſe, tending to limit their right of adjourning themſelves. This will more fully appear from incidents to be named in their proper place. The rules prevailing at conferences, the right of the lords to appoint place and time, and that of the commons to appear always by double the ſpecified number of the lords, which had been very ancient, were now reaffirmed. The diſtinctions between the houſe with its ſpeaker and mace, and committees of the houſe without that formality, were now not leſs eagerly contended for than during the trial of Strafford in later time. No man could lawfully ſit under the age of twenty-one; though it would ſeem, from a remark by Sir Edward Coke, that many by connivance did ſo ſit, who muſt, if queſtioned, have been turned out. Unleſs a man were preſent at prayers, his place could not be kept. Unleſs forty were aſſembled in the houſe, the Speaker could not take his chair. If a bill had been rejected, no ſecond bill of the ſame ſubſtance could in the ſame ſeſſion be introduced. "Great "is their gravity in all things," exclaims Eliot; "and to "avoid confuſion and diſturbance, on noe occaſion, at "noe time, is it lawful for a man, in one daie, to ſpeake "to one buſineſs above once; though his opinion "alter'd, though his reaſon ſhould be chang'd, more "than in ſuffrage with the general vote at laſt, when the "queſtion is reſolv'd by a ſingle yea or noe."

So in regard to other rules for ſecurity of order and decorum. All were bound to be ſilent when the Speaker ſhould offer to ſpeak. Matters formerly claimed by the houſe, as the deciſion for choice of members riſing together to ſpeak, were now firſt referred to the Speaker's arbitrament. "No perſonall touches," continues Eliot, "are admitted in anie argument or diſpute. Noe cavills "or exceptions, nor anie member to be nam'd. Nor, "where ther is contrarietie or diſſent, may ther be mention

"of the perſons but by periphraſis and deſcription. All "bitterneſs is excluded from their dialect, all words of "ſcandall and aſperſion. Noe man maie be interrupted "in his ſpeech, but for tranſgreſſion of that rule, or breach "of ſome other order of the houſe (as, for the intermix-"ing of their buſineſs, when one matter is on foote, to "ſtirr another before the deciſion of the former, which "in noe caſe is allowable). In all other thinges the "priviledg houlds throughout. The buſineſs, as the "perſon, has that freedome to paſs quietlie to the end. "Noe diſparitie or odds makes a difference in that courſe. "He that does firſt ſtand up, has the firſt libertie to "be heard. The meaneſt burgeſs has as much favour as "the beſt knight or counſellor; all ſitting in one "capacitie of commoners, and in the like relation to "their countries.* If two riſe up at once, the Speaker "does determine it. He that his eye ſawe firſt, has the "precedence given: ſoe as noe diſtaſt or exception can "be taken, either for the order or the ſpeech."

With characteriſtic pride in what before all things he valued, and was ready to ſacrifice all things to keep inviolate, Eliot adds his reaſon for ſo naming what might ſeem to be inconſiderable things. "I name theſe," he ſays, "for the honour of that houſe. Noe wher more "gravitie can be found than is repreſented in that ſenate. "Noe court has more civilitie in itſelf, nor a face of "more dignitie towards ſtrangers. Noe wher more "equall juſtice can be found: nor yet, perhaps, more "wiſdom."

IV. Grievances and Religion.

Hardly had the committee for privileges been moved (one act only preceding it "to expreſs the devotion of "the houſe, expecting all bleſſings from above"†), when

* "Countries" was then uſed for what we now ſhould expreſs by "Counties."

† I quote one of theſe opening paſſages, at length, from Eliot's MS:

a petition was handed in againſt Sir Thomas Wentworth's return for Yorkſhire. The party complaining was Sir John Savile. His and Wentworth's conteſtation in the country, Eliot remarks, had been great, "as their former "emulation in that place; nor wanted they a reputation "good in either, nor merit, if well-exerciſed, to ſupport "it. I mention here but that particular of Wentworth, "becauſe the whole buſineſs turned on him; his colleague "in the ſervice being but paſſive in the work, and ſo "involved with Wentworth, as what was accidental to "the one, was neceſſarily contingent to the other for the "quality and merit of their cauſe; the ſame virtue and "the ſame fortune being to both."

The petition being referred to committee, and the houſe proceeding to the uſual formal arrangements for ſettling its order of buſineſs, a ſtartling propoſition was on the ſudden quite unexpectedly made by Mr. Mallory, one of the northern men. Theſe men, it ſhould be obſerved, who during the laſt two parliaments had for the moſt part followed Wentworth's lead, formed a kind of ſpecial party in the houſe; deriving unuſual importance

"The commons began with an act for obſervation of the ſabbath, and "to prevent the abuſes of that daie. This being read, for the honour of "religion, and to that end having the firſt precedence given to it; as well as "further to expreſs the devotion of the houſe, expecting all bleſſings from "above; the next thing that followed it was the deſire of a communion; "that all the members of that bodie might joine, and in that worke of "pietie the better to unite them in themſelves and reconcile them to their "head. And this religious motion was forthwith ſeconded by another for a "day of preparation to that worke, and a generall humiliation to be made, "by a publick faſt i' th' kingdome, for which four reaſons were aſſigned: "1. The miſeries of the church abroad. 2. The plague and mortalitie at "home. 3. The fleet and preparation then in hand. 4. The expectation "of the parliament. To implore a bleſſing upon thoſe; and deprecate the "calamities of the others. Which reaſons were approved and the deſires "reſolved on. The communion was appointed for the Sundaie ſe'nnight "arter, and a committee named to ſee that all performed it. The private "faſt and preparation was to precede it on the Saturday. Preachers were "deſigned for both; and it was ordered for the generall faſt o' th' kingdom "that a petition ſhould be framed to move his majeſtie therein. Which "acts of pietie being reſolved, they deſcended to the ordinairie buſineſs of "the houſe."

not more from the extent and wealth of the diſtricts repreſented by them, than becauſe of the various, fluctuating, popular grievances that had no where ſuch ſharp and pungent expreſſion as from thoſe buſy manufacturing communities. To the general ſurpriſe, what the northern members now propoſed was "to decline "the whole proceedings of that meeting, and to petition "for an adjournment to the king. The reaſon pre- "tended," Eliot continues, "was the ſickneſs, which had "a great infection and increaſe: but moſt men did "ſuppoſe *that* but the colour and pretext, and ſomething "more within it, which jealouſy the ſequel did confirm."*

In plain words, this ſtartling propoſal had for its object the hope of ſome ultimate evaſion of the Yorkſhire-election enquiry, by interpoſing preſent delays; and this being ſeen, ſeveral of the county members joined the privy councillors in reſiſting it. The reaſon urged by the latter was the abſolute neceſſity of preſent ſupply; to which Wentworth himſelf, or as Eliot calls him "the "elect of Yorkſhire," did not ſcruple to make anſwer that for his part he was prepared to oppoſe any further grants to his majeſty until full account ſhould be rendered of the ſubſidies and fifteenths formerly given, "ſaying it was more neceſſary that that account were "rendered than to require new aids." Eliot thereupon replied to him: ſpeaking, as he ſaid, in the intereſt of the country itſelf. He was for having due account rendered of the expenditure of the laſt ſubſidies, and hoped for ſatisfaction in that particular; but he held alſo, looking at the diſſolution of the treaties and preparation of the fleet, that the new demand might be neceſſary. And ſuppoſing this to be the caſe, who would weigh the

* "It had its original," he ſays "from the north, and by ſome other "northern ſpirits was ſeconded; who after practiſed *all the artifice of* "*delay to defer the queſtion of their knights*, and ſince have been "declared ſo affected to themſelves, and to their own advancements, that all "conſideration of juſtice and the publick they poſtponed."

danger from the ſickneſs, how great ſoever, againſt the danger of not providing againſt an enemy? Who would not, as Mr. Solicitor had done, cite David's example for a direction in the caſe, that ſhowed it better to fall into the righteous hands of God than into the wicked hands of men? But further, he maintained, any preſent adjournment would be contrary to the order of the houſe itſelf, which in giving direction for a publick faſt had publickly implied a reſolution to continue its ſitting. To that end alone had the prayers of the church been deſired to implore a bleſſing on its labours, and if it then declined, the act of devotion was in vain, and the practice and profeſſion were incongruous. Nor did Eliot heſitate to add other reaſons drawn from the circumſtances of the new reign. He dwelt upon the conſideration due to that firſt meeting with the king: "the "expectation great upon it, the reputation of much "importance that ſhould follow it; and this, with the "other reaſons, finally ſo ſwayed the ſenſe of the houſe, "as, though new names were uſed to turn it, ſeeking only "an alteration of the place* not of the time and buſineſs, "yet the motion was rejected as improper, and by ſome "held ominous and portentous."

This difficulty over, however, another took its place. Ready acceptance having been given to Eliot's plea for conſideration to the new reign, ſeveral of the court ſpeakers, backed alſo by ſome of the popular men, now reproduced the ſame circumſtance as a reaſon why, at this ſpecial parliament, the committee for grievances ſhould not be moved at all. A debate followed, not only ſtriking in itſelf, but remarkable for the widely differing motives that animated even thoſe that took the line of oppoſing the committee. "Divers oppoſitions

* Sir Robert Philips, according to the *Journals*, (i. 799) was for adjournment "to other time and place." The reſult was, according to the ſame authority, "the petition for adjournment not now to be put to "queſtion."

"it received," ſays Eliot, "for divers intereſts and re-
"ſpects, publick and private, wherein contraries did meet.
"Some did diſlike it for accident and circumſtance, others
"ſimply and abſolutely for itſelf. That it might have
"reflection on their errors who were conſcious of a guilt,
"made theſe laſt averſe, being obnoxious to the publick.
"Others, that thought it not ſeaſonable at that time to
"begin the queſtion of grievances which could not
"then be perfected, would, for the more certain puniſh-
"ment of the offenders, have had their cauſe reſerved.
"Others were moved to the ſame view in real apprehen-
"ſion of the ſickneſs, and deſiring the diſmiſſion of peti-
"tioners. Some had in contemplation the new entrance
"of the king, whoſe reign had not afforded opportunity
"for oppreſſion, and ſhould not therefore be diſhonoured
"with an expreſſion of complaint. Others remembered
"the old grievances exhibited to king James in his laſt
"parliament, to which there had been no anſwer; and
"adviſed only to petition, then, for that."

For this laſt-named courſe old Sir Edward Coke was the leading advocate; but his ſpeech having elicited from Wentworth the deciſive avowal that nothing ſhould content him but their proceeding *more majorum* as to grievances and all things elſe, Eliot promptly interpoſed thereon with the remark that, whether or not the grievances committee were ſpecially moved, the objects for which it ſat could not be forborne without forbearing alſo the firſt duty of a parliament, which was to redreſs grievances; and though the diſlikes expreſſed might be obviated by naming a ſpecial committee to regulate the buſineſs of the houſe, to whom ſhould be referred the duty of apportioning the public and private matters to be entertained, it would ſimply be reaching the ſame end by another road. He might have regretted, but he made no attempt to conceal, that here his ſympathy went far with Wentworth.

At this ſtage of the debate Sir Benjamin Rudyard roſe.

His poſition between the two parties, as already remarked, was a peculiar one; and when he interfered at any critical diviſion or diſſenſion, he was ſuppoſed not to do it without a purpoſe and very elaborate preparation. He now roſe to counſel moderation and temperance. He reminded the houſe that certainly the diſagreement betwixt the king now with God, and his people, was begun and continued by mutual diſtaſtes in parliament, and had been the cauſe almoſt of all that they could call amiſs in the ſtate; whereas it was the king that now is, who firſt gave the happy turn in that reſpect, whereby in the laſt parliament more grace had deſcended from the crown to the ſubject than in any parliament ſome hundreds of years before. And if all this befell when he was prince, how much more might be looked for now he was king. From which the ſpeaker paſſed to eulogium on Charles's feeling for religion, and its influence on the exemplarineſs of his life; inſomuch as he might ſtrictly ſay there could hardly be found a private man of his years ſo free from ill, which, as it was more rare and difficult in the perſon of a king, ſo was it more exemplary and extenſive in the operation; and no doubt, being a bleſſing in itſelf, would call down more bleſſings from heaven upon the kingdom for his ſake. Then, after praiſing his orderly tendencies ("order being indeed the very ſoul of outward things"), Rudyard pointed out that Charles's breeding had given him an advantage above all the kings in chriſtendom; for he had been abroad, and had treated with a wiſe and ſubtle nation in a buſineſs ſo great, that himſelf was the ſubject of it; which had not only opened and enlarged, but quickened and ſharpened his natural abilities, and made him underſtand his own kingdom the better. For, to know a man's own country alone was but a ſolitary kind of knowledge, in reſpect of knowing it by compariſon with others. He would have them, therefore, carry themſelves in that firſt ſeſſion with ſweetneſs, duty, and confidence in and toward his majeſty; for which no

doubt they would reſpectively receive ſuch grace, ſatisfaction, and favour, as the dangerouſneſs of the time, and therefore the ſhortneſs of it, could poſſibly allow. Towards the happy effecting thereof, Rudyard begged further to move, that they ſhould fall upon ſuch things only as were neceſſary, clear, and of diſpatch; and that thoſe buſineſſes which had in them perplexity, difficulty, or aſperity, might, if the houſe were not pleaſed altogether to omit them, yet be touched only by way of claim or grievance, and ſo be remitted to the next ſeſſion, when they would have fitter opportunity and better leiſure to debate them. "Laſt of all," Rudyard added, with a conſciouſneſs of the prevailing impreſſion concerning himſelf, "to take off the leaſt ſcruple of prejudice "which miſinterpretation may caſt upon me, I do here "ſolemnly proteſt, that, as heretofore I did never ſpeak "with king, prince, or favourite, of parliament buſineſs, "ſo with our preſent king I never had the honour to ſpeak "forty words of any purpoſe whatſoever. Inſomuch, "as what I have ſaid, I have ſpoken it out of the ſincerity "of mine own heart, without any other end but the good "of the commonwealth, whereof this aſſembly is the "abridgement."[1]

Eliot deſcribes the effect of this ſpeech, and ſays that for a time it certainly reduced to temper the affection that was ſtirred. Rudyard's reputation, he ſays, was high both for learning and wiſdom; "and as he was in "uſe and eſtimation with ſome great ones, more was ex- "pected from him than from others; which made the "ſatisfaction to ſeem leſs, and thoſe that were more criti- "cal to adjudge his compoſition more ſtudied than exact. "All men diſcerned in him no want of affection to be "eloquent; but his expreſſion was thought languid, as "the concluſion was unapt: generals being fitter for dis- "courſe than in council or debate." The truth however was, as he afterwards ſtates in a ſtriking way, that whatever effect this ſpeech might or was intended to have

produced was completely deſtroyed by what fell, immediately afterwards, from a ſpeaker of a different order. Mr. Pym unexpectedly aſked, what, in the event of the committee for grievances being diſpenſed with for the preſent, they propoſed to do as to the committee for religion? Was that to be poſtponed also? Then, taking advantage of the agitation his queſtion awakened, he urged the great danger and neceſſity upon the practice of the jeſuits, the "inſinuation" of the prieſts, the exerciſe of the maſs in deſpite if not in deriſion of the laws, and the confidence and increaſe of papiſts thereupon. Which plague and infection of the ſoul was far more to be feared than all the plagues or infections of the body.

There was no getting rid of either committee after this. The debate at once was carried into ground inacceſſible to arrangement or compromiſe. Deſcribing what enſued, Eliot ſupplies us with an invaluable comment on the entire courſe of this unhappy reign; acutely diſcriminating what it is the common practice to confound, and ſhowing what ſucceſs might have attended a ſtatesman in the intereſt of the court whom a like diſcrimination had guided to the real temper of the people. "It is obſervable in the houſe of commons," Eliot remarks[8], "as their whole ſtory gives it, that wherever "that mention does break forth of the fears or dangers "in religion and the increaſe of popery, their affections "are much ſtirred; and whatever is obnoxious in the "ſtate, it then is reckoned as an incident to that. For "ſo it followed upon the agitation of this motion. Firſt "the danger of religion was obſerved in ſome general "notes of prejudice; then by induction it was proved "in the enumeration of particulars; and to that was urged "the infelicities of the kingdom ſince this diſeaſe came "in. This then had aggravation by a ſyncreſis and com-"pariſon with the days of queen Elizabeth; whereto "were added the new grievances and oppreſſions, wholly

"inferred and raiſed ſince the connivance with the pa-
"piſts. The monopolies that had been, the impoſitions
"that then were: all were reduced to *this!* Which I
"mention but to ſhow the apprehenſion in the point,
"and the affection of that houſe in matter of religion."

This paſſage is in every way remarkable. While it exhibits ſtrongly that diſpoſition of the commons to ſudden and paſſionate reſentments in queſtions of religion by which it is always ſought to extenuate the conduct and policy of their opponents, it ſhows yet more ſtrongly the reaſons on which the reſentments were baſed. In effect it diſpoſes of the charge of fanaticiſm ſo often brought againſt the leaders of Charles's parliaments. Religion was not then a thing apart from but eſſentially mixed up with politics. There had been no attempt of the miniſters of the reformed church to bring back the ſuperſtition and revive the tyranny of Rome, which had not also marked ſome correſponding decline in the government of the ſtate, or malpractice in the miniſters of the crown; while it had ever been accompanied by perſecution and injuſtice to men who upheld what they believed to be the purity of teaching and doctrine. "The infelicities of the kingdom ſince that diſeaſe came
"in," was the anſwer to thoſe councillors who would have maintained the king's right with his biſhops to judge of doctrine and diſcipline as a thing apart from his claim to ſo many ſubſidies. No, ſaid the leaders of the commons, we cannot deliver into the judgments of men what we believe to be the ordinance and will of God. His wrath has viſited us in the preciſe degree wherein we have tampered with the purity of the teaching delivered to us in the ſacred writings; and His bleſſing has attended us ſo long as we championed what we believed to be the true faith. We will have no countenance, therefore, extended to what we hold to be falſe; and before we proceed to vote the king's ſupply, we muſt be ſatisfied that a diſpoſition exiſts to remedy juſt complaints in matters of religion.

The ſubject was reſumed on the following day, after a conference of both houſes on the petition for the faſt;* when Eliot took occaſion himſelf to addreſs the commons. The reaſon which influenced him, he tells us, was the conſideration he deſired to impreſs upon the houſe at that early ſtage, that the exiſting laws were ſufficient for the maintenance of religion in the unity and purity of its eſtabliſhment, provided ſome check were interpoſed to the continual remiſſion of thoſe laws; and his ſpeech, beſides being remarkable in this reſpect, is valuable evidence of his ſtateſmanlike manner of regarding queſtions of that nature, and of the objects of government he moſt deſired to promote by upholding the interdependence and inſeparability of politics and religion.

Let not his majeſty's councillors believe, ſaid Eliot, that the matters then brought forward were intended for interruption to preſſing affairs of ſtate. It was the ſtate which had deepeſt intereſt in them. Religion was the touchſtone of all actions, and the trial by which they were known. It was that upon which all policy, all wiſdom, all excellence, muſt be grounded; and what reſted not on that centre, could have no perfection or aſſurance. For what the power of man was without God, or what without religion might be expected from His favour, his own words and ſtories did ſufficiently declare. Religion only it was that fortified all

* At this conference archbiſhop Abbot, juſtly a favourite with the commons, took occaſion to rebuke them for what he appears to have thought a precipitancy and over-eagerneſs on their part; and his rebuke was not unkindly taken. "At the conference," ſays Eliot, "the commons "did preſent a draught of the petition and their reaſons, with a motion to "the lords for their concurrence in the work; who, by that reverend "father of the church, the archbiſhop of Canterbury, returned this "anſwer and reply: that they approved both their intention and their "reaſons, and were therein ready to aſſiſt them, but withal, out of a text "in Joel, gave them ſuch a caution and advice againſt private undertakings "of that kind, as, upon their return unto their houſe, the former day was "altered, and ſome time given for expectation in that point."

policy, that crowned all wiſdom. That was the grace of excellence, the glory of power. "Sir," continued Eliot, "the ſtrength of all government is religion; "for though policy may ſecure a kingdom againſt "foreigners (and ſoe I pray God this kingdom may "always ſtand ſecure!), and wiſdom may provide all "neceſſaries for the rule and government at home; yet if "religion ſeaſon* not the affections of the people, the "danger is as much in our own Achitophels, as from "Moab and all the armies of Philiſtines. Religion it "is that keeps the ſubject in obedience, as being taught "by God to honour his vicegerents. *A religando* it is "called, as the common obligation among men; the "tie of all friendſhip and ſociety; the bond of all office "and relation; writing every duty in the conſcience, which "is the ſtricteſt of all laws. Both the excellency and "neceſſity hereof, the heathens knew that knew not "true religion; and therefore, in their politics, they had "it always for a maxim. A ſhame it were for us to be "therein leſs intelligent than they! And if we truly know "it, we cannot but be affectionate in this caſe. Two "things are conſiderable therein; the purity, and the "unity thereof: the firſt reſpecting only God, the other "both God and man. For, where there is diviſion in "religion, as it does wrong divinity ſo it makes diſtrac-"tions among men. It diſſolves all ties and obligations, "civil and natural; the observation of heaven being "more powerful than either policy or blood. For the "purity of religion, in this place I need not ſpeak; ſeeing "how beautiful the memories of our fathers are therein "made by their endeavours! For the unity, I wiſh pos-"terity might ſay we had preſerved for them, that "which was left to us."

Words of noble and ſolemn import, which, if then

* In the former quotation of ſome ſentences from this ſpeech, *ante* p. 11, the word "ſeaſon" has been miſtakenly printed "ſecure."

received in their true ſignification by thoſe whom more eſpecially they addreſſed, might have given a quite different iſſue to this reign.

Such being what their fathers had riſked everything to win, how ſtood they in regard to continuance? It was idle to deny that this unity, purchaſed by ſo much ſacrifice, had been broken. But, a diſeaſe once entered, though it were paſt prevention, muſt have cure; and, as the danger or infection became greater, the greater care and diligence muſt oppoſe it. "What "diviſions," Eliot exclaimed, "what factions, nay, what "fractions in religion, this kingdom does now ſuffer, "I need not recapitulate. What diviſions, what tranſac- "tions, what alienations have been made, no man can be "ignorant. How many members, in that point, have "been diſſected from this body, I mean the body of the "land (which repreſentatively we are), ſo as the body itſelf, "though healthy, cannot but ſeem lame. How have "thoſe members ſtudied to be incorporate with others! "How have they threatened us, their own, not only by "preſumption, but in greatneſs; and given us fear, more "than they have taken! Bleſſed be that hand, that has "delivered us! Bleſſed this day that gives us hope, "wherein the danger and infection may be ſtayed. For, "without preſent remedy, the diſeaſe will ſcarce be "curable. To effect this, the cauſe muſt firſt be ſought "from whence the ſickneſs ſprings; and that will be "beſt found in the ſurvey of the laws. Certainly it lies in "the laws, or in the manner of their execution. Either "there is ſome defect or imperfection in the laws; or their "life, the execution of them, is remitted. For, if the laws "be perfect, how can diviſion enter but by a breach of "them; if the execution be obſerved, how can the laws be "broken. Therefore in this does reſt the cauſe, and here "muſt be the remedy. To that end, now, my motion "ſhall incline; for a review of the laws, and a ſpecial "conſideration as to their preſent inefficacy. If the

" diviſion have gott in by imperfection of the laws, I " deſire they may be amended; if by defect, that they " may be ſupplied; and if (as I moſt do fear it) through " neglect and want of execution, I pray the houſe to " give direction that the power may be enforced with " ſome great mulct and penaltie on the miniſters, who " for that will be more vigilant, and we thereby ſecure."

This ſpeech led to an animated diſcuſſion on the ſtatutes in force againſt recuſants, and the extent to which they had been rendered nugatory by privileges and pardons. Underlying all that was urged in the latter ſenſe, was a ſtrong reſentment at the indifferent meaſure dealt out to recuſants of another claſs; but no man in this debate ſpoke of the wrongs ſuffered by the Puritan. He left them to be ſuggeſted in the mere ſilent and pregnant contraſt afforded by inceſſant favours to the Roman-catholic. That in themſelves the laws againſt popery were ſufficient, as Eliot aſſerted, no one took upon him to deny; but ſo inoperative were they by frequent evaſions, that they had loſt eſtimation and reſpect. Four ſuch modes of practiſing on the law itſelf ("*fraus legi*, or cozenage of the ſtatute"), and four others of eſcaping the law by practiſing on the king's prerogative ("*fraus contra legem*, or cozenage of his "majeſty for what the law allowed him"), were particularly alleged and deſcribed. Theſe were, under the firſt head, by delinquents obtaining ſuch favour with great men at court that not only were informers intimidated from moving againſt them, but the very delinquents, papiſts, prieſts, and jeſuits, were able actually to procure informations againſt themſelves, which they had thus the power either to preſs or ſtop. By the ſame favour they were further permitted ſo frequently to change places and names, as to render public indictments next to impoſſible; and in the rare caſe of indictments actually preferred, they were aſſiſted to remove them by "certioraries" from their reſpective counties, ſo as to leave

almoſt every caſe without a proſecutor. Under the ſecond head, it was ſhown that for the like purpoſe the king's authority had been freely and dangerouſly uſed. All ſufficient levy of forfeitures had been prevented by the removal of goods into privileged places; by the granting of the forfeitures to thoſe about the ſovereign who intended not puniſhment but favour to papiſts; by letters of prohibition giving ſtay to proceedings; and by direct royal pardons too frequently granted, "not only "to recuſants but to jeſuits."

Such, at the opening of Charles's reign, while the laws againſt puritan diſſent were preſſed with eager ſeverity, was the condition of the laws to which the great bulk of the nation in thoſe days looked for their only ſafeguard and ſuccour againſt Rome. The picture will ſtartle many whom the ſtatements of writers otherwiſe diſpoſed have familiariſed with oppoſite views; who have quoted the ſtatute-book to ſhow how harſh were its proviſions; who have condemned this parliament for deſiring to exaggerate what it was the duty of the council to keep within ſtricter limit; and who have aſcribed the diſaſters of Charles's later parliaments to the intemperance that would now have ſingled out a young king's acceſſion for addition of freſh penalties to a perſecution already intolerable. Eliot places the real ſtate of the caſe entirely beyond queſtion. After giving various inſtances under the ſeveral heads named above, he proceeds: "All which did hinder the "execution of the laws, and rendered them fruitleſs in "that point; and herein were found the cauſes of "diſeaſe and ſickneſs. Examples were cited of all theſe, "to warrant their reaſons and opinions, whereof it was "thought neceſſary there ſhould be a true information "to the king, and an addreſs and petition to reform "them. For a preparation to that work, the clerk was "appointed to bring in, at the next ſitting, all the "petitions of that kind which formerly had been made,

"but of which the further conſideration was reſerved." This was done accordingly; and the petitions of the 18th and 21ſt of James having been read, together with the declaration publicly made in the latter year by the prince upon his deliverance out of Spain, a committee was appointed to frame a new petition and addreſs. Both houſes then completed their arrangements for obſervance of the faſt; and, continues Eliot, "one "church being not capable of both houſes, as the "lords did take the abbey, we choſe the pariſh church "at Weſtminſter, in which our communions were before, "and now our firſt of faſts."

Theſe things were done in the houſe during the laſt days of June; and as, in even the ſcanty and imperfect records of the commons' journals, there is a complete blank from the 22nd of that month to the 4th of July, the papers by Eliot alone remain to offer any indication of what was paſſing. We read them all therefore with a ſpecial intereſt, and among them the firſt day's proceedings againſt Richard Montagu.

This reverend doctor, who had obtained his firſt preferment nine years ago by his triumphant aſſertion againſt Selden of the ſacred origin of tithes, and who had ſince, notwithſtanding formal complaints very ſeriouſly entertained in James's laſt parliament againſt his *New Gag for an Old Gooſe*, riſen ſteadily in favour, was on the firſt of July reported to the houſe from the committee of religion as having publiſhed a ſecond book under the title of *Appello Cæſarem*, of a character yet more objectionable than the firſt.* Shortly before the old king's death this book had made its appearance, and on the new king's acceſſion its author had been ſelected for promiſed preferment. Though not yet one of the royal chaplains, he headed

* The *New Gag* was a title ſuggeſted by the papiſt book, *A Gag for the New Goſpel*, which it profeſſed to reply to. The *Appello* was of courſe an appeal from aſſailants to his royal patron.

Laud's liſt under the letter O: his eſpecially orthodox claims being, that in all his writings he had ridiculed the puritans; that in his laſt work he had laboriouſly upheld the divine right exiſting in monarchy; and that, as well in it and its predeceſſor as from his pulpit in the proteſtant church of England, he had taught and preached confeſſion and abſolution, the doctrine of the real preſence, ordination as one of the ſacraments, the uſe of images and of the ſign of the croſs, and the efficacy of the ſaints.

The debate opened with a ſtatement volunteered through one of the members by archbiſhop Abbot, curious in itſelf, and deciſive of the fatal oppoſition to moderate councils within the church itſelf, which, through his influence with Buckingham, Laud had for ſome years been ſecretly preſſing againſt Abbot's authority. Upon complaint made of Montagu's firſt book in James's laſt parliament, it was now ſtated that the archbiſhop had called the author before him; and telling him of the troubles he had cauſed, and what diſturbance had grown in the church and in parliament by his book, had given him this advice. "Be occaſion of no more ſcandal. Go "home. Review your book. It may be ſome things "have ſlipt in, which upon ſecond cogitation you will "reform. If anything be ſaid too much, take it away. "If anything too little, add unto it. If anything be "obſcure, explain it. But do not wed yourſelf to your "own opinion; and remember, we muſt give accompt "of our miniſtry to Chriſt." With which having diſmiſſed him, he had heard no more of him for ſeveral months; when, going one day to attend the old king in his illneſs, the archbiſhop came ſuddenly upon Montagu, who "preſented him *in curſu*, as it were, his ſecond "book; for which being ſhortlie queſtioned, as the place "and time permitted, of that bouldneſs and neglect, he "made a ſlight anſwer and departed."

The impreſſion produced upon the houſe by this ſtatement, Eliot informs us, was of a mixed kind. Much

wonder there was at Montagu's inſolence, that dared ſo to affront the dignity of the head of the church; and ſtranger ſtill many thought the lenity of the archbiſhop, which had paſſed unpuniſhed ſuch an indignity to his place and perſon. But Eliot and ſome few others took a nearer view, and found in it matter for more grave reflection. Thoſe that lookt more narrowly, he ſays, conceived one reaſon for both; and that Montagu's boldneſs, and the archbiſhop's remiſſneſs, *were by command.* They turned the diſcuſſion off from the perſonal matter introduced, thanked my lord of Canterbury, and carried a vote that the books themſelves ſhould be reported on by the committee for religion.

Six days later that report was made; the vote of ſubſidies and the petition for religion having both, in the brief interval, been ſent up to the lords.* A ſharp neceſſity for promptitude had ariſen. The plague was increaſing upon them. By this ſeventh of July, Eliot tells us, it had riſen to a great infection and mortality. "Noe part of the aire did ſtand free. Divers fell dead "downe in the ſtreets. All companies and places were "ſuſpected. All men were willing to remove; and they "of the parliament were eager to ſhorten and expedit "their buſineſſe." The petition for religion had gone up to the lords on the fourth. A committee of both houſes carried it next day to the king; and on the ſixth a partial anſwer had been vouchſafed, the complete anſwer being reſerved until the houſes ſhould reaſſemble. Unhappily it was ſuch that "the hope and expectation "which was held, from thenceforth did decline;" and on the day following, Montagu ſtood at the bar of the commons.

* After ſtating that in all ſuch ſpecial meetings and committees the difference is always obſerved that whatever the number of lords the proportion of commons ſtill doubles it, Eliot thus remarks upon that rule: "It is a funda-"mentall order of their houſe, not without wiſdome in the inſtitution ſoe "appointed, *not with profitt practis'd on all occaſions*; and as it was at other "times, ſoe followed now in this."

In reply to their queſtions he confirmed the archbiſhop's ſtatement, but declared that he had acted in conformity with the wiſh of king James. His majeſty's warrant had authoriſed his firſt book; and when the primate ſent for him, the king left it to his own choice whether or not he ſhould attend the ſummons. His ſecond book, he went on to ſay, had the like warrant and authority; and his majeſty had indeed declared with an oath, upon view of the tenets and opinions therein, that if that were to be a papiſt he was himſelf a papiſt. He concluded by referring the houſe to the work itſelf, which bore oppoſite to its title the printed approval of the king's cenſor, doctor White.

This confeſſion of Montagu's was, in Eliot's opinion, more confident than ingenuous. He means that the accuſed had told only a portion of the truth; that he had made the old king his ſcapegoat, and kept back his real ſupporters. His former powerful patron being dead, Eliot remarks, it could not be imagined he ſhould now aſſume that boldneſs of himſelf. They were living and not leſs powerful patrons with whom the houſe would have to deal. He points at Laud.

After Montagu had left the bar, a warm debate enſued in which the leading members, including moſt of the privy councillors, took part. The latter urged ſtrongly their diſſent from thoſe who had been moſt active in the caſe, upon one point. Without doubting that there might be large matters of exception to the doctrine in Montagu's books, they yet held that "for "the dispute of *them*, as noe fitt ſubject for the parliament, "the wiſdom of the commons ſhould decline." Others, not going ſo far, would yet have had all innovations of doctrine reſerved for another kind of cenſure, upon which the houſe might act ultimately with greater confidence. Eliot leant to that view, but at the ſame time pointed out what appeared to him to offer occaſion for ſuch immediate cenſure as the houſe might properly exerciſe.

This man had done his beſt to diſturb the ſtate, both as to church and government. He had accuſed well-affected ſubjects of the deſire for anarchy. He had acted in derogation of parliament, and in contempt of the privilege and juriſdiction of that houſe. Being under complaint there for his firſt book, he publiſhed the ſecond in maintenance of the firſt, whoſe opponents he had therein calumniated. Mr. Pym dwelt with yet greater force upon this argument. Between the king and his good ſubjects Montagu had ſown jealouſies, and had declared the puritans to be a potent prevailing *faction* in the kingdom. By way of irony and ſcorn he had termed their moſt pious divines "ſaint-ſeeming, bible-"bearing; and hypocritical;" their churches, "conventi-"cles;" and their preaching, "prating." Calvin, Perkins, Reynolds, and Whitaker, he had ſneered at and ſlighted; while he had affirmed the church of Rome to be the ſpouſe of Chriſt. What otherwiſe could be deſigned thereby but ſedition and diſturbance to the ſtate? Would they have a fire kindled here, as in the Low Countries by Arminius? If not, let them prefer againſt the author of theſe books a charge to be tranſmitted to the lords; and let him meanwhile be committed for contempt to the commons, with directions to remain in cuſtody of their ſerjeant.

Vehement reſiſtance was made to this by the court party. They took firſt the ground, that an exiſting parliament had not ſuch cognizance of any preceding parliament as to make offences to the latter queſtionable, much leſs puniſhable, in the former; and upon this being overruled, they again ſtrongly urged that matter of dogma and doctrine was not ſubject to parliamentary juriſdiction. But here alſo the majority went againſt them. Thoſe articles being oppoſed which parliament had enacted, was it not the duty of parliament to maintain them? This however was leſs the ground taken than that of the tendency of Montagu's teaching to ſuch diſturbance of the

peace and quiet of the ſtate, as well as of the unity and tranquillity of the church, as Fleta and other conſtitutional authorities had pronounced to be eminently of civil concern, and within the province of the ſecular court and magiſtrate.* In the end, Montagu was brought back to the bar, and there kneeling received cenſure as having been guilty of a great contempt, and was committed to the cuſtody of the ſerjeant of the houſe.

At this point a very ſignificant remark is made by Eliot. "Some," he ſays, not naming them, immediately before Montagu was ſent for, ſuggeſted that the houſe might do well for its own honour to pauſe a little, and conſider further before ordering that man's commitment; leſt, contrary to their meaning, it ſhould prove not a puniſhment, but a preferment. The ſuggeſtion at the time was made light of, but the time was very ſhortly to arrive when its wiſdom became manifeſt. Before the houſe adjourned Montagu was made king's

* I give the exact words of Eliot in deſcribing this part of the debate. After ſtating the propoſal for the charge and commitment of Montagu, he proceeds: "Theſe opinions, though moſt agreeing with the houſe, had "yet ſome oppoſition and reſiſtance. It was firſt objected, againſt the "authoritie of the houſe, that one parliament had not cognizance of an-"other; nor were the offences to a former queſtionable, much leſs puniſhable, "in a latter. But the vanitie of that argument was diſcovered by the cleer "light of reaſon and authoritie. The whole courſe of parliament ſpoke "againſt it; the practiſe of all times, the example of all courts. Divers "precedents were cited for illuſtration in the pointe, which ſoone compoſ'd "that queſtion. Others that had an inclination to that partie (for even "with Chriſt there was one Judas in the fellowſhip), objected the nature of "the cauſe, and by making it ſeeme doctrinall would exclude the juriſdiction "of that court; and for the doctrines likewiſe labor'd to inſinuat a defence, "for that they were not by anie publicke act condemned in the cenſure of "the church. But theſe as ſoone were rejected and caſt off, by difference "and diſtinction of the fact, in that the points inſiſted on were but civill, "for the honor of the king, the priviledg of the parliament, the peace and "quiet of the ſtate, the unitie and tranquillitie of the church, which, it "was ſaid by Fleta, were appropriat to the ſecular courts and magiſtrates. "Theſe reaſons were a ſatisfaction to that doubt. But further it was "added, that, the articles being oppoſ'd which were confirmed by parlia-"ment, the parliament ought in dutie to maintaine them. Upon which it "was without difficultie reſolv'd both for the commitment and the "charge."

chaplain, and releaſed from cuſtody, though not from his bond.* No prophets were they that had given the caution, ſays Eliot, no revelation had been vouchſafed to them. They were ſimply men who had taken more accurate meaſure than their fellows of the counſels and counſellors predominant with the new king; who had been able, from careful obſervation of the meridian of the ſtate, to caſt thus early its diſpoſition; and the latter he proceeds to put in a formula of words expreſſive of the entire tragedy of Charles Stuart's reign. "*To make "men moſt obnoxious moſt ſecure, and thoſe that were moſt "hateful to the publick to be moſt honoured and eſteemed.*"

But before the brief interval is paſſed when Montagu will reappear, and that truth begin to be more fully known, the two ſubjects that were to occupy the houſe up to the time of its adjournment call our attention away. Upon the Yorkſhire election diſpute, and upon the courſe taken in matter of ſupply, Eliot has that to ſay which none of the hiſtories have ſaid, and will communicate ſome facts of ſtriking intereſt and importance.

V. Wentworth's Election for Yorkshire.

More clearly to underſtand the intereſt excited by this diſputed election for Yorkſhire, it is neceſſary to revert to a ſimilar diſpute in the parliament of 1620. Sir John Savile, who was beaten in that year, had again ſeated himſelf and his ſon for the county during the popular agitations of 1623 amid which the laſt parliament of James aſſembled; but for the ſecond time, in the preſent year, young Wentworth had managed to defeat that powerful intereſt. It was with the help indeed of

* "July 7, Thurſday. Richard Montagu was brought into the lower "houſe of parliament." "July 9, Saturday. It pleaſed his majeſty, king "Charles, to intimate to the houſe of commons that what had been there "ſaid and reſolved, without conſulting, in Montagu's cauſe, was not pleaſing "to him." "July 13, Wedneſday. I was the firſt who certified him "(Richard Montagu) of the king's favour to him."—*Laud's Diary.*

another Yorkſhireman, Sir Thomas Fairfax of Denton, that at this election of 1625 he had carried Yorkſhire againſt his rivals; but in 1620 he had forced in as his colleague a non-reſident in the county, Sir George Calvert, the king's ſecretary of ſtate, and though Savile's petition againſt the return failed, the impreſſion left by the enquiry had been of a character to attract increaſed attention to any revival of charges ſuch as Savile formerly had made, and had in fact greatly contributed to the return of himſelf and his ſon in the next following parliament.

He then charged Wentworth perſonally with having threatened the freeholders, and with an "unlawful pre-"paring them" to elect himſelf and his kinſman; and to prove his caſe, he produced two warrants written in Wentworth's name as juſtice of peace, and ſigned by two high conſtables: the one requiring, the other requeſting, the freeholders of ſuch a place or pariſh to be at York on Chriſtmas-day, there to make election of him and Calvert; and both of them informing the freeholders that the ſubſcribing conſtables reſpectively were to certify to Wentworth all the names, as well of thoſe giving as of thoſe refuſing him their voices. He produced alſo an attorney named Johnſon, who profeſſed to have read in Wentworth's own hand, and to have heard twice read by others, a letter to a third high conſtable named Stanhope, willing and requiring him not only to ſummon the freeholders to attend Wentworth at York with a view to his own and Calvert's election, but to inform them that the names of ſuch as refuſed would be duly reported.

Wentworth took the accuſation very loftily at the opening debate on the petition, before its reference to committee. As he ſhould meet Savile's charges at the due ſeaſon, he ſaid, he declined then to enter upon them. Nevertheleſs the opinion was ſtrongly and generally expreſſed that, although a man might write to his friends to induce electors to give their voices, it was unlawful to

require, or to threaten, or to order the names of refuſers to be reported; for in ſuch caſe, when a man was "powerful in his county," the election ceaſed to be free.

The committee met, ſeveral witneſſes were examined, and the excitement and intereſt created appear to have been extraordinary. The committee room was so crowded that Sir William Herbert had to make complaint to the houſe that the place was ſo poſſeſſed by thoſe not of the committee, that they of the committee could not hear. It was not believed poſſible however, nor was it attempted, to diſplace the interlopers; and the room remained equally crowded to the end.

Everything turned on the evidence the high conſtables might give.* It they ſhould attempt to ſcreen themſelves by pleading anything of compulſion on Wentworth's part, his ſeat was gone. But the two who were firſt called both ſwore, that for the wording of the warrants complained of they were themſelves reſponſible. What they underſtood from Wentworth's inſtructions was, that he only deſired the freeholders to come and

* I limit myſelf, in this rapid ſketch to the moſt material points, but there were other incidental queſtions raiſed. The charge, for inſtance, as further opened by Savile (the ſon of old Sir John, himſelf ſubſequently Lord Savile in the Scotch peerage, after his father had taken an Engliſh barony), involved the high ſheriff as in complicity with the conſtables unduly to favour Wentworth. Witneſſes were produced to ſwear that he had excluded great numbers who came to vote for Savile, and had never troubled himſelf to enquire whether they who ſhouted for Savile's opponent were freeholders or not. Three perſons ſwore ſtoutly that on the day of election about "a "thouſand perſons crying *A Savile!*" and preſſing to the town hall, had been refuſed, the door being kept by halberds, and that, upon one of them offering to break in, his head was broken in. To this was oppoſed the evidence of Sir Arthur Ingram, who ſhowed that the place in York where the knights were choſen is where the priſon is, and that the reaſon why there were men with halberds at the entry of the hall was, not to overawe the electors, but to ſecure, and, for that time of the election, keep ſafe the priſoners. Several other members depoſed to the evidently manifeſt ſuperiority in numbers of Wentworth's ſupporters over thoſe of his opponent; and Lord Clifford craved leave to inform the committee that his brother Wentworth had only conſented to ſtand for Yorkſhire at his inſtance and ſtrong deſire, and was it likely he ſhould afterwards labour to be returned by undue and unlawful means?

chooſe him and Calvert if they thought them fit men and liked of them; and they declared that there was nothing unuſual in the language tranſmitting thoſe inſtructions. Queſtioned more cloſely as to the obligation ſought to be impoſed upon them to diſcloſe to Wentworth the names of ſuch as might refuſe to vote for him, they replied leſs diſtinctly to the point of clearing Wentworth, but they urged that ſuch taking of the names was only to let Sir Thomas know who would be for him, and for whom, and how many, he ſhould make proviſion among his friends at York. The third high conſtable, Stanhope, ſtated by Johnſon to have received the moſt imperative commands from Wentworth, produced the letter alleged to contain them; and it turned out to be, in ſo many words, not a command, but an entreaty to the high conſtables to deſire the petty conſtables to ſet down the names of all freeholders within their townſhips, and which of them had promiſed to be at York and beſtow their voices with Wentworth, that ſo he might poſſeſs a teſtimony of their good affections, and know whom he was beholden to. Practically there was no great difference between this and the language complained of; but there was no expreſſed threat, and the law had not been directly violated. The reſult was that the committee, leaving the conſtables to the cenſure of the houſe, declared the election good; but a propoſition to clear Wentworth for the preparation was ſtrongly reſiſted, and only paſſed by a bare majority. The feeling thereby expreſſed ſhowed itſelf more remarkably on the day when the committee reported their deciſion.

A vote to clear the election was followed by a debate as to the conduct of the high conſtables, very obviouſly animated by ſtrong perſonal reſentments. The character of Sir Thomas Wentworth had declared itſelf with ſufficient plainneſs throughout the proceedings. It was not merely that he had excluded the old popular member, Sir John Savile, from the repreſentation of this

great county, and had forced into it a ſtranger, a miniſter of ſtate, a man having neither property nor connections there; but that, from the firſt ſtage of the buſineſs to the laſt, from his appearance as a candidate to the vote that had juſt declared him lawfully ſeated, he had carried with him a perſonal influence of that predominant kind which exacts complete ſubmiſſion where it fails to provoke timely reſiſtance. It was intolerable that the right of free election ſhould be ſo overborne. The general ſenſe was frankly avowed in an exclamation from Sir Samuel Sandys in the courſe of the debate, "No "man right here to think himſelf ſo great as to oppreſs "any member of this houſe with his greatneſs!" Taking the ſame ground, one of the gentlemen out of Yorkſhire ſpoke ſo bitterly that it was thought beſt to bring the debate for that time to a cloſe, and give order for the attendance of the conſtables in three days to receive judgment. The third day paſſed, and brought them; but without bringing calmer temper to the houſe.

Amid the heat and anger however which the tone aſſumed by Wentworth in defending his ſeat, quite as much as his conduct at his election, ſtill provoked, two remarkable ſpeeches, by quitting the ground of mere perſonal attack, gave unexpectedly a higher character to the debate. The member for Oxford, Sir John Brooke, quoting the language of the old writs of election and of the ſtatute of Henry the Fourth, ſtigmatiſed it as grave miſconduct to have employed the conſtables at all. That ſuch functionaries ſhould be told, no matter in what language, to ſummon freeholders to vote for a particular candidate, was without ground, without example. High conſtables had nothing to do in it. Notice to freeholders was to be given, not in conſtables' warrants, but in pleno comitatu. A man who offered himſelf for election was as a man put upon his trial. He might claim his jury, but had no claim to control its opinion. "But I did not," cried Went-

worth from his ſeat; while the explanation tendered by the friends who reſtrained him from riſing, that his requeſt had merely been for liſts of all that could vote with ſuch names marked as were favourable to him, and that this did not warrant the conſtruction attempted to be given, called up the great lawyer Noye. No authority ſtood ſo high in the houſe, ſaving Coke's alone; and it was thrown into the ſcale againſt Wentworth. Elections, he ſaid, ought to be free. If thoſe conſtables had done ill and now went unpuniſhed, it would encourage them; and the country would think, they being queſtioned and cleared, that parliament approved the ill-doing. He could not ſee the difference between the explanations and the charge. Liſts of all the electors marking ſuch as had promiſed votes, were alſo liſts of thoſe who had not promiſed; and Sir Thomas Wentworth had gone too far when he ſo deſired a certificate of ſuch as refuſed to come. What was it but to fear them* with a reminiſcar? For uttering that ſolitary word to the chief baron after an adverſe judgment in the exchequer, Lord Bruce of Bremar had been ſentenced by the council to walk round about Weſtminſter-hall in his doublet and hoſe, without cloak, hat, or ſword; and fit was it that theſe conſtables, for foreſtalling freedom of election by their warrants, and terrifying men with as much as a reminiſcar, ſhould go to the Tower!

It was a hard ſentence for the poor Yorkſhiremen, but it was of courſe levelled really againſt Wentworth. It was, as his friend Hutton, ſon of the ſhip-money judge, bluntly remarked, to "blemiſh the member "choſen." Again therefore there was ſtrong reſiſtance. It was pointed out that the men were poor, and that they had been put to great charges, for that they had now been five weeks out of Yorkſhire, and all the time at their own expenſe. The opinion was alſo thrown out

* "Fear them"—daunt them.

that the Tower would be a leſs effectual puniſhment than public ſubmiſſion at the ſeſſions in their own county. On the other hand it was urged that the houſe had no power to order ſuch ſubmiſſion; and Mr. Mallory, who ſtated this, went on to ſay that ſufficient account had not been taken of what was due to the freeholders of Yorkſhire, whoſe rights ſhould be "more valued." He had been himſelf an eye and ear witneſs of the diſcontent of the gentlemen of the county at the conſtables' doings. The like had never been known before, nor had there been even due ſcrutiny of the votes given. It was a very ill precedent. Other ſpeeches followed in the ſame tone, until at laſt the ſolicitor-general cloſed the ſtormy debate by offering a compromiſe. Adopting the ſuggeſtion for a public ſubmiſſion at the next Yorkſhire ſeſſions, he would alſo have the conſtables then and there called in and ſeverely reprimanded at the bar; and he explained that though the houſe had no power to command the execution of a puniſhment in any place out of that town, they might enjoin formally the penalty, and upon its non-performance might command the offending party thither again. This was accepted. It ſeemed a ſatisfaction, as Sir Robert Philips terſely ſaid, for the double wrong. "A wrong to the houſe, therefore an "acknowledgment here. A wrong to the county, ſo a "confeſſion there."

The offending conſtables were brought in accordingly; and having made, kneeling at the bar, the ſubmiſſion required, and having received Mr. Speaker's ſevere cenſure "for meddling with what belonged not to them, for "undue preparation, for warrants of command to petty "conſtables, and for menaces, by requiring the names of "refuſers to be delivered;" they were informed that if, at the next quarter ſeſſions for the weſt-riding, they did not make ſubmiſſion in the ſame terms before their county, they would have to appear again before that houſe.

And what then was to be ſaid to the high conſtable Stanhope, who had produced the letter falſely deſcribed by Savile's witneſs Johnſon? To this queſtion, put by Wentworth himſelf, the houſe replied by directing Stanhope's charges, amounting to 5*l*, to be paid by Savile. But this did not ſatisfy Wentworth. He roſe again and made appeal to the juſtice of the houſe for puniſhment of Savile's witneſs, "one Johnſon a ſolicitor." Johnſon had ſtated that of himſelf, which Stanhope, by production of the letter, had ſhown to be untrue. This ſtatement could not ſtrictly be denied. There had been undoubted miſrepreſentation. Johnſon was brought before the houſe, knelt at the bar, and received his reprimand.

Still Wentworth, whom the proceedings altogether had deeply moved, remained unſatisfied. Again he ſpoke; and with much vehemence preſſed the fact, that Savile's charges had been brought againſt himſelf, and that they had failed in proof. Againſt him perſonally nothing whatever had been eſtabliſhed, and he therefore deſired judgment upon Savile alſo. A leſs haughty, determined, and pertinacious ſpirit than Wentworth's, would hardly have claimed ſuch abſolute acquittal while any ſound ſtill lingered in the houſe of the extraordinary debates I have rapidly ſketched; but his was a temper that roſe in proportion to the reſiſtance it provoked, and, ſhort of everything, counted nothing gained. On this point, however, the commons would not give way. If Savile had not brought home his charge againſt the member for Yorkſhire, he had yet produced matter of grave import to the charge, and had vindicated freedom of election. "Not fit," ſaid Sir Thomas Roe, "to diſ-"courage any that ſhall inform in ſuch caſe."

And ſo cloſed the firſt chapter of what Wentworth called his "Adventures of Knighthood," the knowledge of which is eſſential to any thorough underſtanding of that ſecond and more important chapter now waiting

to be deſcribed. For this reaſon the facts have been brought together here; but they ſupply alſo the earlieſt detailed narrative known to me in our hiſtory of the incidents of a conteſted election. They mark the advance made thus early in a juſt appreciation of the relations that ſhould ſubſiſt between electors and elected, and which lie at the root of all civil freedom. They were lightly put aſide by him who ought moſt to have been impreſſed by them: but it is important to note that the warning was at leaſt thus emphatically given, however deliberately diſregarded; and that, on the very threſhold of his great career, this remarkable man encountered, not the ſubjugated England he ſacrificed his genius and his life to reſtore, but a people who already had riſen againſt their bonds, and were under the guidance of leaders well-born and independent as himſelf, as far removed from ſervility, and as inacceſſible to fear.

And now, in this firſt parliament of the new reign, the leſſon was to be adminiſtered again, more roughly than before. The ſharpneſs of the expected ſtruggle had declared itſelf on the firſt day's meeting, in the attempt of the northern men to evade the enquiry altogether by forcing an adjournment. This having failed, the reſource left was to interpoſe all the delays permitted by the forms of the houſe, or ſuggeſted by the courſe of the proceedings; and with what ſucceſs this was practiſed, and what bitterneſs it provoked, Eliot ſtrikingly deſcribes. From the firſt day of the ſitting, he ſays, up to the 5th of July, the matter had been in continual agitation. It was not merely that in the committee it led to inceſſant examinations and debates, but that ſeveral reports and motions were made upon it in the houſe, inſomuch that in both the ordinary buſineſs had been greatly diſturbed. Almoſt all the members ſhared in the excitement, and took one ſide or the other. On either ſide, if ſuch a thing (interpoſes Eliot) might be imagined in the in-

tegrity of that court, the power and influence of the reſpective antagoniſts drew numbers over to themſelves. There were alſo ſome, himſelf for inſtance, who interfered not in affection to the parties, but in diſlike of the practiſes that had been uſed; and ſo ſharply from every quarter were the arguments preſſed, that it became impoſſible to keep them within the limits of the queſtions raiſed. Theſe were repeatedly abandoned for ſallies of perſonal invective. Great diſtaſtes and bitterneſs in conſequence aroſe, and a fierce ſpirit took poſſeſſion of almoſt every one. Such is Eliot's ſtatement generally as to the tone and character of the debates on the Yorkſhire election.

Savile's caſe, ſupported by a petition from a hundred and fifty of the freeholders of the county, briefly was, that upon the day of the election at York, he had a majority of the voters on his ſide, and that he had duly, within the proper time, demanded a poll; that the ſheriff, being altogether in Wentworth's intereſt, "wholly "Wentworth's," had with much difficulty and manifeſt reluctance been brought to grant this; that whilſt it continued, he took meaſures to exclude all freeholders who had not been preſent at the reading of the writ; and that, after about thirty-five had polled, when he ſaw that the greater chances were for Savile, he made an excuſe for abandoning the poll, and took upon him to decide by view for the return of Wentworth. Beſides the petition, ſeven freeholders preſented themſelves to depoſe, vivâ voce, to the circumſtances alleged; and the ſubſtance of what they ſaid may be as briefly ſtated. There had been unuſual excitement, it ſeemed; the emulation in the choice for parliament, always ſtrong in that county, having riſen to unexampled height; and never had ſo large a concourſe been brought together in the county court at York. But the confuſion alſo conſequent on that multitude, became too great to admit of the poſſibility of any deciſion either upon the cry or the

view, as the taking voices and show of hands were then called; and Savile's friends had therefore claimed, as the touchstone and only means of trial, a poll. This the sheriff at first refused, alleging some point of time; under the same pretence, he had unwarrantably closed the castle gates against many voters outside; nor was it until greatly pressed he at last had yielded so far as to concede a poll, and then as of courtesy, not of right, and restricting it to such as had been present when the writ was read. Even so, however, hardly had thirty-five votes been taken, when, seeing that Savile was like to carry it, he made a pretence for assuming the judgment to himself and pronounced the choice for Wentworth; "whereas the other had more voices;" double, it was asserted. Such were the averments of the friends of Savile.

Wentworth deigned at first but a brief reply. He denied every statement made. But, supposing there were any truth in what was pretended, he conceived that he was not himself under any obligation to repel those charges. They did not concern him but the sheriff, who would doubtless be sent for. At the same time he reminded the house, that, as the enquiry affected his seat, he and his colleague, Sir Thomas Fairfax, would have claim to be heard by counsel, and to obtain time to bring up witnesses if necessary; and the house would remember that the distance was great, and that there must be ample opportunity allowed for the purpose. The result was that the sheriff was summoned to come up, a fortnight being allowed for his appearance; and intimation was given that Wentworth and Fairfax might instruct their counsel.

Nothing, Eliot remarks at this point, could equal the vexation exhibited at this display of a fixed determination not to drop the enquiry. The spirit continued to show itself that had impelled the first daring attempt to force adjournment of the subject by adjourning the house

itſelf. But it was north againſt north, he adds ſignificantly; and Savile had the older experience. All the arts that northern policy could invent, therefore, to gain advantage in the carriage, met in the end but their own likeneſs. The care and diligence that oppoſed them were no leſs than theirs, and the craft was more. Savile knew too well thoſe paths of ſubtlety not himſelf to follow the hunter on his track; and, being more beaten in the way, he was able in his own trap to enſnare him. The occaſion for evincing this will ſhortly preſent itſelf; and meanwhile Savile offers no retort to Wentworth's denials, nor makes any correſponding application to have his own caſe argued by counſel. Of courſe the fortnight allowed to the ſummons had not been permitted to expire without renewed efforts to evade the houſe's order; but theſe had not availed, and two days after the time appointed* the ſheriff made reluctant appearance.

In the following faſhion he ſtated his caſe. Immediately after eight o'clock, he ſaid, on the morning of the election, he made proclamation and read the writ, at the uſual place. Then, the gates according to cuſtom being ſhut, he took a view of the freeholders; and returning, declared his opinion that Wentworth and Fairfax had double the voices to Savile. Upon demand of the poll, he admitted that he had ſtarted ſome difficulty in granting it; but excuſed this by reaſon that it was paſt the proper hour before the demand was made. He admitted alſo the interruption of the poll by his authority, as alleged; and that, five and thirty having been numbered, it was proceeded in no further; but the occaſion he imputed wholly to Savile himſelf. For this he gave two reaſons: charging Savile, by the firſt, with having attempted to bring unqualified perſons up to the polling-booth, and, by the ſecond, with having frightened or driven away by unauthorised repreſentations qualified perſons who

* "Even at the laſt," ſays Eliot, "affecting not the ſervice, he made no "haſte."

had come to vote for Wentworth. He was preſſed very cloſely with queſtions from all ſides on both theſe points. To ſome, ſays Eliot, he anſwered negatively, to ſome dilatorily and doubtfully, uncertainly to all; ſo that little truth could be gathered from his words, and leſs content and ſatisfaction from himſelf. But in the end the ſtory took the following ſhape.

For the more perfect taking of the poll, he had cauſed all the freeholders preſent at the reading of the writ—holding ſuch only as duly qualified to vote—to be drawn by the foregate into the caſtle yard, and there encloſed between that gate and the poſtern; with proviſion that each freeholder, as he was ſworn and numbered, ſhould be let out at the poſtern gate, where the polling clerks were ſtationed. His object in this was not merely to prevent confuſion and diſorder, but to avoid the abuſe and ſcandal not unfrequent on ſuch occaſions, of the ſame electors preſenting themſelves more than once, and under divers names getting themſelves each counted for ſeveral. Savile having good reaſon, he continued, to regard this as an objectionable precaution, his reſiſtance became ſo determined that it led to the breaking open of the foregate; through which there then poured numbers of his ſupporters who had newly come, who had not heard the reading of the writ, whom he, the ſheriff, believed to be not qualified to take part in the election, and whoſe interference he therefore regarded as an illegal diſturbance to the courſe and due order they were in. Nor was this all. Even before thoſe outrages began, and the gates had been ſhut, Savile had raiſed and circulated a report among the freeholders that he meant to keep the poll open for ſeveral days; whereupon a great many of Wentworth's voters, diſinclined to encounter more of the crowding and excitement at that time, and apprehending a long attendance, left the court diſheartened; which he, the ſheriff, conceived to be itſelf ſo grave an interruption to the work as to juſtify him in

abandoning the poll. And on this having no doubt, either by view or hearing, of Wentworth's majority, he aſſumed the judgment to himſelf, and announced the return.

Seeing the houſe indiſpoſed to admit his ſtatements without corroborative evidence, the ſheriff excuſed himſelf for not having brought witneſſes by declaring that he had interpreted the houſe's order as requiring his own attendance ſimply; and therefore he now claimed it as of right, if his ſtatements were diſputed, that he ſhould have a new liberty of proof, and additional time for the purpoſe.

At this ſtage Eliot appears firſt to have interfered. He ſhowed to what theſe various pleas and pretences for delay tended. Referring to the daily increaſe of the plague, he reminded the houſe that any prolonged ſitting could not be expected; that more than uſual haſte and brevity were now unavoidably impoſed on all matters in hand; and that already they were under the neceſſity of contracting, for eaſier diſpatch, many buſineſſes of great importance. For what, then, were the ſuggeſtions of further and ſtill further adjournment made in the matter before them; for what, on the firſt day of their ſitting, had been that prodigious motion for adjourning the houſe itſelf; but to avoid a deciſion altogether? If they granted this, it would but bring forth another. Let them not doubt but that it muſt be ſo. Such was the corruption of ſome hearts in the fear of what affected themſelves, that for their private humours they were at all times ready to put aſide the public intereſts. He would move therefore that the ſheriff's ſtatements ſhould be dealt with by the houſe as they ſtood, without giving further time for examination of additional witneſſes; and he carried this in committee by a majority of 25 to 17.

Wentworth, who according to invariable cuſtom had retired during the diſcuſſion, now returned, appealed to the houſe, and forced on another paſſionate

debate. He declared that he had never ſought to delay his cauſe, and was only deſirous to have it heard in a legal manner. As for the number of the freeholders, it would be fully proved that beyond all queſtion the far greater number were for him and Sir Thomas Fairfax. And as for their poſition and rank, he had been ſupported on the day of the election by the greateſt number of men of quality that had taken part in any return theſe twenty years. On the other hand, Sir John Savile had brought with him numbers not entitled to take part in the election; and the occupier of the very houſe in which the Savile party chiefly were, had confeſſed that he was himſelf no freeholder. Then, as for the poll, the caſe ſtood thus. It had been demanded by his opponent out of a mere ſpirit of cavil, and with no intention that it ſhould proceed. The demand was made after eleven o'clock. Nevertheleſs the ſheriff gave way; and the poll was proceeding at the poſtern gate, the foregate having been ſhut by the ſheriff's direction, when, by the unlawful act of Sir John Savile himſelf, it was interrupted. In the recent caſe of Pontefract, where the election was void, the poll had been broken off by the parties returned. In that of Cambridgeſhire, the ſheriff, on being demanded the poll, had performed it not. His own caſe differed altogether; and he deſired the houſe at once to determine that it ſhould, as now ſtated, be either granted him or denied him. If granted, he would claim that his counſel, already conceded by the houſe, be heard at the bar the following day, to maintain in that ſtate of facts the law to be on his ſide. If, as ſubmitted, the caſe were denied, he demanded to prove it by witneſſes, a right not refuſed to any; and time muſt be given him to bring up thoſe witneſſes.

The debate that enſued on this appeal (at which permiſſion ſeems to have been given for Wentworth himſelf to be preſent, the merits not being in queſtion ſo much as the manner of procedure) was in ſeveral points

remarkable, and not the leaſt for the very modified ſupport given to Wentworth by ſome of the king's council, while others ſharply oppoſed him. Coke liked not the ſheriff's anſwer, for he held him to have been bound to grant the poll. But neither did he like to ſtrike the ſitting members through the ſheriff's ſide. The matter of fact was not yet clear to him. Before judgment could be given it muſt be aſcertained whether the poll was demanded in due time, and whether he who demanded it broke it off, or was the means whereby it was broken off. Sir Francis Seymour was for Wentworth. Sir Edward Giles went ſtrongly againſt him. Mr. Glanvile, "that pregnant weſtern lawyer," as Eliot calls him, ſtarted a doubt whether, even as it was, the poll being demanded but not granted before eleven o'clock, the ſheriff could be held to have granted it at all in the ſenſe of a legal compliance with the demand. The ſolicitor-general and the chancellor of the duchy both ſpoke with much reſerve; but their view practically was, that the hearing of witneſſes could not be refuſed unleſs the houſe were prepared to admit the caſe as ſtated by the ſheriff. To this Eliot ſpoke. Contraſting the ſtatements of both parties, he had found nothing in the ſheriff's caſe that met the clear, affirmative, and particular proof alleged on the other ſide. The fact of the poll being demanded in due time and interrupted by the ſheriff, though it might ſtill be altogether doubtful where the majority of voices were, was enough to avoid the election and return made, though it concluded not another. In his opinion, therefore, they might with ſafety paſs to judgment. For he held, in effect, that to admit the caſe of the ſheriff, which was Wentworth's caſe, would not place either of them in a better poſition; and that any further evidence in proof or diſproof was needleſs. Hereupon Wentworth roſe again, vehemently to proteſt ("but by more heard than "credited," Eliot interpoſes), that he affected not delay in contemplation of himſelf, but deſired only legally to be

heard, and that for the honour of the houſe. What he had aſked for was the mere common rule of juſtice. He expected it in that court, and ſhould therein accordingly apply himſelf. At this the northern lawyers backed him ſtrongly, urging that Savile's caſe had broken down on the facts as declared by him. The reaſons for the alleged interruption were inſufficient, ſeeing that no man was compellable to be preſent at the election, but all had free liberty to depart. A ſheriff, beſides, had the whole power of the county; and that being ſo, what other power was to be ſuppoſed ſufficient to force interruption upon him? The reſult was that, upon a ſuggeſtion from Sir Edward Coke, bringing the houſe back to the point of what was demanded by Wentworth, and in which Coke ſo far agreed as to hold that ſome admitted ſtatement of the facts was become indiſpenſable to any deciſion, it was ordered that a ſtatement of the circumſtances of Savile's alleged diſturbance of the poll ſhould be immediately drawn up by the ſitting members, Wentworth and Fairfax, in conjunction with the ſheriff; that this ſhould be put in as their caſe; and that in the event of Savile diſputing any matter ſtated therein, the houſe ſhould give ſuch further direction as it thought fit. So accordingly it was ſettled; and Savile, upon receiving the caſe in writing, was to preſent himſelf at the next ſitting to give in his anſwer upon it.

Hardly had it ſo been arranged, however, when Wentworth ſaw the advantage upon one point given to his adverſary, though he was unprepared for the advantage immediately ſeized by him upon all. The ſitting member's policy was delay, yet the courſe taken muſt bring the matter to iſſue. Fain would he ſtill have prevented, ſays Eliot, the preſent deciſion which he feared, and have kept a little longer at diſtance upon the points of examination and defence. "Delaie and pro-"craſtination was his hope. Manie things, by that, might "occur to worke his ſaftie. Divers are the intervenients

" of time. The remoteneſſe of his witneſſes was a faire " pretext for this, if that occaſion had been granted " him; but now, that opportunitie depending upon the " diſcreation of his adverſarie, his hopes therein were " leſſen'd; and what he had mov'd himſelf, himſelf againe " repented." But it was too late, and the caſe went on.

On Tueſday the 5th of July, Savile preſented himſelf, and deſired "in ſome few things" a hearing. He was at once brought into the houſe, and heard without the bar being put down. He apologiſed for the trouble he had occaſioned. He grieved that any concerns of his ſhould ſo long have been an interruption to their buſineſs. His anxiety now was to prevent their further vexation in the matter. With this view, though the writing he held in his hand had been delivered to him but late the night before, and ſmall time had been vouchſafed him for conſideration of the caſe, he was ready then and there to accept it for concluſion of the work; only deſiring that two things might be conceded to him. The written ſtatement of the ſitting members having been handed to him without any name affixed to it, he requeſted, firſt, that it might be ſubſcribed by Wentworth; and, next, that Wentworth might be called upon to avow, upon his reputation in that houſe, that ſo much therein ſet down as came within his knowledge was true, and that the reſt he thought ſo.

The words had ſcarcely dropped from Savile, ſays Eliot, when Wentworth ſaw that he had fallen into his own ſnare. It was not merely that by ſtating his caſe in any form in writing, he had put into a feaſible ſhape what the houſe had to decide; but that Savile, by not conteſting the caſe even as ſo put by his adverſary, had barred all further poſſibility but of immediate deciſion one way or the other. "Nothing he " firſt doubted leſs," Eliot remarks, "than admiſſion " of his caſe; ſuppoſing the jelouſie of his adverſary " would have made him fight at diſtance. But he, that

"was his countryman and equall, seeing the advantage "readilie, closed presentlie upon him in that grant, and, "by concession of the case, surpris'd and soe disarm'd "him."

With or without arms, however, Wentworth was not the man to cease fighting to the last; and he now formally preferred his claim to have witnesses heard. It would seem that in the paper drawn up for Savile, he and Fairfax had contented themselves with what they held to be a sufficient counter-statement to the strong point of Savile's case, the demand and interruption of the poll; but now he urged that the house was bound to consider also the alleged plurality of voices present for himself and Fairfax. This, though it had been overlooked and omitted in their statement, was most essential to their case; their opponent had denied it; and upon it he now had witnesses ready to avouch the truth. Having so stated this claim, Wentworth, as the custom always was with members whose personal affairs were in debate, retired, and the discussion proceeded in his absence.

The demand for the hearing of witnesses appears not to have been entertained. "The question being stated "by himselfe," says Eliot, "and that depending meerlie "upon the demand and interruption of the poll, the "other was impertinent." The debate turned entirely therefore on the case as stated; and it was pointed out by one of the privy councillors, as already Eliot had intimated, that nothing in it as now put forth by the sitting members practically differed from what the sheriff "had pretended." The interruption objected to Savile rested altogether on the rumour or report whereby he was alleged to have induced many qualified voters to quit the castle yard, or on that so-called illegal forcing open of the gate through which unqualified persons had entered. But of these allegations there had been no proof. The only proofs offered went to show that the demand for a poll by Savile had not been unseasonably made;

and indeed ſo much had been implicitly confeſſed by the admitted practice of the ſheriff. Mr. Whiſtler, a lawyer of great ability who repreſented the city of Oxford, expreſſed more ſtrongly the ſame view. He held the election to be not good upon the caſe as now ſtated. He was againſt the ſhutting of the gate. Aſſuming for true what the ſheriff had ſaid of the conduct of Savile's friends, the general body of freeholders had an intereſt ſuperior to Savile's, and no miſconduct of his could be pleaded in juſtification of a wrong to the county. The member for Surrey, Sir George Moore, expreſſed ſome doubt whether the miſconduct of the ſheriff, which he thought had certainly been eſtabliſhed, ſhould ſuffice to render the election void; and the ſolicitor-general, Sir Robert Heath, replied to the argument of the member for Oxford. Heath was cloſely allied to Buckingham, and his preſent interference connects itſelf as well with the part taken ſo ſtrongly by Eliot on the other ſide, as with ſome ſubſequent overtures to Wentworth himſelf which will ſhortly have mention. Mr. Solicitor's opinion was that Savile was in the wrong upon the ſhowing of the caſe. The ſheriff having decided for the return of Wentworth and Fairfax, this neceſſarily muſt ſtand good until avoided by good and plain matter. If indeed the ſheriff had denied the poll, or himſelf done anything unfitting in the courſe of it, that might be cauſe to avoid the election; but if ſuch diſturbance as occurred had been not upon his part, but upon that of Savile, and if this made it impoſſible for the ſheriff to proceed rightly, he could not ſee that this was any default of that officer. To this feeble argument one of the Corniſh members, Sir Samuel Rolle, replied promptly and deciſively. He pointed out that denying the poll, and not purſuing the poll, amounted in reality to the ſame thing; that to exclude qualified voters by ſhutting the gate was unwarrantable; that ſuppoſing the poll to have continued, and Savile to have

been elected, his election must have been held good; and that no mere interruption on the part of Savile, as alleged, could be interpreted as necessarily making good the return of Wentworth. Hereupon some of the northern men again interfered, shifting the ground Wentworth himself had taken; and claimed that as the points just raised were matter of law, the sitting members should be heard by counsel. But so stoutly was this opposed, and not the least by some of the court party, that a division had to be taken, when there appeared for Wentworth, the tellers being his intimate friends, Sir Francis Seymour and Christopher Wandesforde, 94; and against him, the tellers being Lord Cavendish and Sir Dudley Digges, 133.

Eliot's narrative exists to show what followed this majority of 39, or it might well nigh have seemed incredible. After describing the much opposition created by the proposal as to counsel, the question being of fact, and the "great contestation it begott, even to the division "of the house," he goes on to say that this being overruled and the debate resumed, "a new interruption it "receaved by a new motion for himselfe" (Wentworth) "once more to be heard before they went to judgment! "Great labor was for this, and as great care to stop it; "intending but delaie. Against him was objected the "long time he had had from the beginning of the "parliament; the often-hearing he receaved att the "committee, and in the house, wher his whole defence "was knowne; that before he was withdrawne to give "waie to the debate, as in all such cases it was usuall, he "had a full libertie to express himselfe, and his whole "apologie was heard. Nothing could be added but "protraction, which would be a further injurie to the "house; and therefor was nott to be admitted or "receav'd. Upon this it was soe resolv'd, and the "debate proceeded. When, contrarie to the funda-"mentall order of the house, by which no man may be

"preſent at the agitation of his own cauſe, Wentworth "came in confidentlie to his place; and gave occaſion to "him that was then ſpeaking——"

Eliot was ſpeaking. He was charging the ſheriff with having wronged the houſe by limiting the rights of voters, when the incident occurred ſo characteriſtic of the man whom we now know as Strafford, but who as yet was imperfectly known; and, what the orator ſeized occaſion to ſay having been preſerved among his papers at Port Eliot, I can complete the narrative of an incident in all reſpects very memorable.

It ſhould be premiſed, before printing the attack which Eliot now made on Wentworth, that ever ſince the breaking of the Spaniſh match and the ſubjection of king James to Buckingham, Wentworth's opinions and conduct had been undergoing manifeſt change. Immediately after the diſſolution of parliament in 1621, the newſwriters deſcribed him as having been ſingled out for a peerage,* to which his ſervices to the court in that parliament entitled him; and at the cloſe of the following year there is evidence of his employment in the old king's ſpecial affairs.† But in the parliament of 1623 he had taken up the tone of a tribune of the people, and ſince that date had held aloof from Whitehall. Hence doubtleſs the oppoſition from court quarters that had lately diſplayed itſelf againſt him, but not from any ſource ſo unworthy ſprang the indignation now expreſſed by Eliot. At the time when the *Negotium Poſterorum* was written, Wentworth had declared himſelf once more for the king, after ſpeeches

* S.P.O. MS. Chamberlain to Carleton. "Sir Thomas Wentworth "of Yorkſhire and Sir Edward Montagu to be made barons." In another letter he ſays that his title was to be Viscount Raby. Jan. 19, 1621–22.

† S.P.O. MS. "Order of Charles Lord Stanhope for poſt-horſes and "a guide for Sir Thomas Wentworth repairing to York and back, on the "king's ſpecial affairs." Dec. 21, 1622. To the ſame ſervice he alludes himſelf, in a well-known letter to Weſton, "calling to mind the faithful "ſervice I had the honor to do to his majeſty now with God," &c.—*Strafford Diſp.* i. 35. There is alſo a letter of Conway's to Calvert (MS.) in the S.P.O. in which he mentions the "juſt praiſe" the king had beſtowed on Wentworth, July 5, 1623.

for the popular cauſe which had placed him in front rank with its defenders; but here Eliot ſpoke without any ſuch experience. He ſaw but before him, braving parliamentary privilege, the man who moſt loudly had aſſerted it in 1623; and coupling what was manifeſt of his power with that obſervation of his reckleſſneſs, the thought not unnaturally aroſe to Eliot from the reading moſt familiar to him in Roman ſtory, of men gaining their ſtrength in the ſervice of liberty to employ it in attempting her overthrow, and coming in to the ſenate-houſe to deſtroy the ſenate. Whatever we may think now of the juſtice of his unſparing invective, we cannot but deeply be impreſſed by the eſtimate he had thus early formed of the capacity of Wentworth, and of the dark and dangerous iſſues it might involve.

"But, Mr. Speaker," he ſaid, interrupting his argument againſt the ſheriff's violation of their rights as he ſaw Wentworth moving up from the bar, "any violation "of our rights may be well excuſed in others when they "ſuffer violation by ourſelves. Strangers, perſons not "members of our houſe, foreigners, may be pardoned "who have ignorance to plead for them, when we ſuffer, "as at this inſtant, from our own members. No ſuch "attempt or action can be ſo prejudicial as this; and "this," he continued, confronting Wentworth with a ſcorn provoked doubtleſs by his own, "done in con-"tempt of us, yea, in the height of ſcorn and injury. "If we admit the diſhonour of ourſelves, how then ſhall "others value us? And if we admit a diſhonour by our "members, how ſhall we avoid it in ourſelves? I ſay, "Sir, a greater diſhonour and contempt this houſe has at "no time ſuffered than what now affronts it here. No "abilities, no power, no ſtation can excuſe it. To be "excluded by a fundamental order of the houſe ſo well "known to all men, and that ſo lately urged by him "that now does break it; to be debarred on queſtion "by a particular act and rule, and yet to intrude againſt

"it; what is it leſs than to bid defiance to your power "and a farewell to your privilege? Should I compare "it, it could have no parallel but that Roman's whom "Cicero denounced and deſtroyed. *In ſenatum venit!* "He comes into *this* ſenate, but with a will to ruin it. "How elſe interpret the intention of that act, that would "deſtroy our privilege? But did I ſay it was *a member* "did it? I muſt retract that error in the place, or be "falſe to the opinion which I have; for, either by the "election he pretends or for this act and inſolence, I "cannot hold him worthy of the name. And ſo, involv- "ing both queſtions under one, as a full determination "of his caſe, let us from hence expel him."

"Yet hear me firſt," cried Wentworth, as, with a general feeling unmiſtakeably againſt him, he roſe to leave. He ſpoke briefly, and without interruption. He thought the ſheriff had been treated hardly. It was not denied that new men were let into the courtyard after the gates were cloſed; and how could the ſheriff in ſuch caſe tender them the oath whether they had been preſent or not at the reading of the writ? Having no power by the ſtatute to miniſter the oath, he muſt have incurred a præ-munire. He would urge them, then, to ſtay the reſolution of this buſineſs, being matter of law; and he would pray that it might be referred to a full houſe. With this Wentworth left; and a leading northern member who repreſented Newcaſtle, Sir Henry Anderſon, having propoſed that the matter ſhould at leaſt be deferred till next day, the member for Maldon, Sir Henry Mildmay, moved an amendment which was at once carried, and the houſe proceeded to judgment. Nor was it till this final ſtage that the greateſt authority in the houſe on election matters interpoſed deciſively, and ſerjeant Glanvile produced a number of caſes to ſhow that ſo many as came in during the polling, whether preſent or not at the reading of the writ, had right of voices. After this no further queſtion could be made. The demand

for the poll being admitted, the interruption was proved to be frivolous, and two reſolutions were ſtraightway paſſed. The firſt declared, that, the caſe concerning the election of the knights for Yorkſhire being admitted, the election of the ſaid knights was not duly made, and a warrant muſt iſſue for a new election. The ſecond conceded ſo much to the powerful and perſevering men of the north, as to order that the ſheriff ſhould be no further queſtioned for his part in the affair.

Eliot cloſes his account in the *Negotium* by anticipating the ſurpriſe that might probably be occaſioned by his having travailed in the queſtion ſo elaborately, and in ſo ſeemingly ſmall a matter made ſo particular a relation. But he had done this, and had dwelt upon the incident ſo largely, becauſe of the ſtrange and lurid light it threw on Wentworth's ſubſequent career. "It being the occa-"ſion of greater thinges to come, wee thought it not "unneceſſarie the more carefullie to expreſſe it, that "the power and influence may be ſeene of ſuch ſmall "ſtarrs and planets, from whence great works, as Tacitus "has obſerved, often receave originall." More plainly he adds, in words that are filled with meaning. "The "major part of courtiers in this queſtion banded "maynelie againſt Wentworth, *whereof he retain'd a* "*memorie*; and others that for pure reaſon did oppoſe "him, *he forgott not*. The effect and operation followed "after, of the ſenſe he then contracted; which, from that "ſpark, did riſe to a great flame and burning."

When Eliot thus wrote, in the receſs before the final ſitting of the third parliament, the flame which roſe ſo high againſt the court had ſunk again, and Wentworth was in the ſervice of the king. But the writer's memory ſtill was freſh of the part they had played together in the debates on the petition of right. And though the language of Cicero to Catiline would again intrude itſelf; though with it alſo came the image of a triumvir and viceroy of the eaſt whoſe thirſt for power and aggrandiſement extinguiſhed his

career of glory, and Eliot had to make bitter alluſion to opportunities waſted and genius abuſed; no contemporary has written with a ſtronger deſire to do juſtice to a great intellect, and nothing comparable to his eulogy of Wentworth is on record at ſo early a part of that ſtateſman's career. Very worthy of note is it alſo that the cloſe of his career is here prefigured, and the ſecret of Strafford's ruin as plainly pointed out as the ſource of Wentworth's power.

"There was in that gentleman," ſays Eliot, writing twelve years before Strafford's fall, but in a paper deſigned for poſterity and not for his own time, "a good choice of parts, naturall and acquiſit, and "noe leſs opinion of them. A ſtrong eloquence he "had, and a comprehenſion of much reaſon. His ar- "guments were weightie and acute, and his deſcriptions "exquiſit. When he would move his hearers with "the apprehenſion of his ſenſe, he had both *acumina* "*dictorum* and *ictus ſententiarum* to affect them. His "abilities were great, both in judgment and perſua- "ſion; and as great a reputation did attend them. But "thoſe manie and great virtues, as Livy ſaies of Han- "niball, as great vices parallel'd. Or rather, they were "in him, as Cicero notes in Catiline, *ſigna virtutum*, "formes of virtue onlie, not the matter; for they "ſeldom were directed to good ends, and when they "had that colour ſome other ſecret mov'd them. His "covetouſneſs and ambition were both violent, as were "his waies to ſerve them. *Neque in pecunia, neque in* "*gloria concupiſcenda*, as Craſſus is render'd by Pater- "culus, *aut modum novat aut capiebat terminum.* And "thoſe affections raiſed him to ſo much pride and choler, "as anie oppoſition did tranſport him. Which rendered "him leſs powerful to his adverſaries, wher the advan- "tage was followed and perceaved."

So diſmiſſing Wentworth moſt characteriſtically, but not ſo the ſubject altogether, Eliot lingers to extract from it a higher intereſt than any merely perſonal. He

shows the value towards future elections of the rules which the decision of the house had laid down. These were: that the poll might be demanded at any time between the reading of the writ and eleven o'clock; that no excuse might serve for its interruption; and that all who offered themselves during its continuance, though not present at the reading of the writ, had their votes and suffrage free. "Which shews the libertie of the commons in the act of "such elections, and the great care of parliament to "justifie and preserve it; in which, yet, noe man is com-"pellable to attend." He mentions also the principle established by two other disputed returns adjudged during the session. Sir William Cope, member for the county of Oxford in the 1623 parliament, having been arrested and taken in execution during its prorogation, got his liberty by habeas and went abroad, staying there until again elected for Banbury to the parliament of 1625, when he returned and claimed his seat. This however was refused him on two grounds; the first, that a prorogation, unlike an adjournment, gives no privilege from arrest beyond the sixteen days immediately following it; and the second, that no one in execution is eligible to parliament, because his enlargement would by law deprive the creditor of his debt. That was one case. The other was Mr. Basset's, a Devonshire squire who had been for two years a prisoner upon original and mesne process, his arrest being for so large a sum that no man dared bail him, but who nevertheless had been returned for the borough of Fowey, on which he was set free and admitted. "I "mention these cases," Eliot adds, "to show their differ-"ent judgments, and the rules of proceeding in that house; "which, as they are exact to preserve the publick interests, "are curious also and intentive for the private. Justice, "in all, being the ground on which they build; though "the first stone and foundation be their privilege."

Through the later career of the two illustrious men whom we have seen thus brought into collision by this

Yorkſhire election, the remembrance of what has ſo been revealed to us never paſſed away; and many circumſtances in the after-lives of both, till now unaccounted for, have here their explanation. As Eliot by degrees took up his place of extreme antagoniſm to Buckingham, that miniſter, ſtruggling ſtill againſt a former diſlike of Wentworth, yet ſaw the advantage of a better underſtanding with one whom Eliot* ſo ſharply had aſſailed; and when theſe overtures, entertained for a time, failed through other cauſes, and Wentworth in the third parliament took his place by Eliot, intrigues to win either to the court were woven around both, whereof the then ex-keeper Williams, at his wit's end in thoſe days to recover the favour he had loſt, was chief contriver and artificer.† It was no ill gueſs by Mr. Hallam, when

* "At the diſſolved parliament in Oxford," writes Wentworth to Weſton, chancellor of the exchequer, "you are privy how I was moved "from and in behalf of the duke of Buckingham, with promiſe of his "good eſteem and favour; you are privy that my anſwer was, I did honour "the duke's perſon, that I would be ready to ſerve him in the quality of an "honeſt man and a gentleman; you are privy that the duke took this in "good part, ſent me thanks. As for reſpects done him, you are privy *how* "*during that ſitting I performed what I had profeſſed.*" *Straff. Diſp.* i. 34-35. Theſe alluſions, and the ſurpriſe he goes on to expreſs at the ill return he had received for ſuch performance of his promiſe, will be better underſtood when the narrative of the Oxford ſitting (in which Wentworth, having carried a new election, again ſat for Yorkſhire) is laid before the reader. It will be ſeen that though he refrained from joining in the attack on the duke, he oppoſed the demand for further ſupply.

† When his intrigues for the time had failed, Williams made a partial confeſſion in his apology before cited (pp. 178 and 231), wherein, while manifeſting the utmoſt ſpleen againſt Eliot, even he unconſciouſly clears him. "I never," he ſays, "ſpake at Oxford with any of the ſtirring men, "as was untruly ſuggeſted to your majeſty, excepting once with Philips, "with the privity and for the ſervice of the duke; and with Wentworth "at his firſt coming to town, and before his coming to the houſe, who "promiſed (and I do verily believe he performed it) to carry himſelf "advantageouſly to your majeſty's ſervice, and not to join with any that "ſhould fly upon my lord duke. The reſt are all ſtrangers to me; and I "never ſpake with any one of them concerning any parliamentary matters." This is the very paper nevertheleſs, in which, as we have ſeen, though at the time when it was written Eliot had been appointed to draw up charges for Buckingham's impeachment, he charged him as having been "never out of "my lord duke's chamber and boſom." *Scrinia Reſerata*, ii. 19. Ample

seeking to explain a difference of whose real origin he was necessarily ignorant, to surmise that Wentworth, always jealous of a rival, might then first have contracted his dislike for Eliot, from the suspicion that he was likely to be anticipated by that "more distinguished patriot" in royal favours;* and Williams's biographer has indeed gone so far as to say that Wentworth never forgave Williams for having offered to bring Eliot over, at the time when Weston was carrying over. Wentworth himself.† Very worthily at this does Mr. Hallam exclaim, that the magnanimous fortitude of Eliot, "the most illustrious "confessor in the cause of liberty whom that time pro-"duced,"‡ forbids us to give credit, on authority so indifferent, to any surmise unfavourable to his glory;§ and that the disclosures now made would eagerly have been received by that candid judgment, it hardly needs to say. Intrigues thickened more and more, and were so rife as the councils of the king became more and more desperate, that the possibility of even Eliot's momentary involvement in them might without harshness be entertained; but happily, as to that charge at least, we have now the means to clear him altogether. Out of the unceasing court-plotting and conspiring which tarnished

opportunity will be shortly offered further to test this statement; both as to the degree of intimacy which continued between Eliot and Buckingham, and the amount of credibility due to Williams.

* *Const. Hist.* ii. 42.

† "The L. Treasurer Weston," says Hacket, in his racy way, "picked "out the Northern Cock, Sir Thomas Wentworth, to make him the "king's creature; and set him upon the first step of his rising; which was "wormwood in the taste of Sir John Eliot, the Western Cock, who re-"venged himself upon the king in the bill of tonnage, and then fell upon "the treasurer, &c., &c. The bishop of Lincoln, who had spies abroad in "many private conferences, informed the L. Weston before, who was his "adversary, what coals he was blowing at the forge, and proffer'd himself "to bring Sir J. Eliot to him to be reconciled, and to be his servant; for "which Sir T. Wentworth spleen'd the bishop for offering to bring his rival "into favour; but L. Weston took it as a courtesie as long as he lived, and "bade the bishop look for more favour from the king than it was his luck "to find."—*Scrinia Reserata*, ii. 83.

‡ *Const. Hist.* i. 378. § *Ibid.* ii. 42, note.

ſo many fair reputations, Eliot's reaches us without a ſtain. From this ſo early date it will be ſeen, by continued and irrefragable proof, that with a ſteadineſs which never wavered for an inſtant he kept his courſe ſtraight onward to the end. Even from Wentworth himſelf, in later years, when altered time and circumſtance muſt in all ways have embittered his recollection of the man who had periſhed in the cauſe he had himſelf forſaken, no imputation againſt Eliot's honour was permitted to eſcape. As the very type and imperſonation of reſiſtance, and not as connected in any ſhape with yielding or vacillation, the image of his former aſſailant remained with him. When Cottington ſent him word, with an ill-choſen phraſe of mirth, that his *old dear friend* Sir John Eliot was very like to die,* Wentworth had a grateful word for all his correſpondent's pleaſantries, but not for that. When Laud deſcribed to him the growing plagues of popular diſcontent which had ſtruck with incapacity and fear his half-hearted colleagues, Wentworth flaſhed out anger at the Engliſh council that the "fantaſtic "apparition of an Eliot" ſhould appal them.† When matters had grown more ſerious, and after twelve years intermiſſion the name of parliament again ſounded through the land, Wentworth's ſpirit roſe to the danger by raiſing up Eliot's image, and nerved itſelf for the coming ſtruggle by thinking of that old antagoniſt, to whoſe memory no greater tribute has been ever offered than the words he uttered then.

"Sound or lame, you ſhall have me with you before "the beginning of the parliament. I ſhould not fail, "*though Sir John Eliot were living.*"‡

VI. Supply.

Thus had religion, grievances, and matter of privilege been firſt diſcuſſed; but in reſerve there was a ſubject to

* *Strafford Diſpatches*, i. 79. † *Ibid*, i. 173. ‡ *Ibid*, ii. 393.

which the king and court attached an importance predominant over all, and for which only in their view was it worth aſſembling a parliament. How much money would be given? The debates that determined the anſwer filled the interval between the 22nd of June and the 4th of July, when even the commons' journals are a blank to us. With the greater intereſt, therefore, we read theſe papers by Eliot.

"A gentleman of the countrie" pitched the tone of the firſt diſcuſſion; below what was known as the deſire of the court, but ſo much in agreement with that of the houſe that "all the court rhetorick and labour could "hardly thence remove it." He named a ſubſidy and a fifteenth as a ſufficient ſum, conſidering that three entire ſubſidies and three-fifteenths* had been voted ſo recently, and that ſome ſimilar application muſt ſhortly be renewed. Upon this again there was employed as mediator, Sir Benjamin Rudyard; "who but at ſuch times, "and in ſuch ſervices, did ſpeake; never but premedi-"tated, which had more ſhow of memorie than affection, "and made his words leſs powerfull than obſerved." Again he was unſucceſsful. His reaſons for enlargement of the vote were grounded on the domeſtic charges of the king, the expenſes of his father's funeral, and the neceſſary entertainment of ambaſſadors; not leſs than upon the preparations for war, the large foreign expenſes, and the engagements to Denmark, the States, and Mansfeldt: all which, he pointed out, required ſuch a ſupply as the people alone could give. But the coldneſs of the houſe diſcouraged him, and he ſat down without even naming the ſum he would have had them vote. Then did divers others follow him, "and in divers waies and "motions. Some would have an addition of fifteenths, "others of ſubſidies; and there wer that preſs'd for both: "but in little they prevail'd. The pitch being ſett at

* Upwards of 350,000*l.* See *ante*, 153, 154.

" firſt, was not ſo eaſilie exceeded; yet the quindecem* " thought grievous to the poore, chang'd the propoſi- " tion in that part; which was concluded, in the whole, " for two ſubſidies alone."

The ſpeech that ſo far determined it as to make further appeal unavailing was Sir Robert Philips's. He began by referring to the time when this ſupply was aſked. It was then but the beginning, whereas ſupply was anciently a work of the concluding, of a parliament. The grant itſelf, he next declared, taken in connection with what had preceded it by but a few months, was of ſuch value as not four of our preceding Engliſh kings ever had received the like. He deſired the houſe to remember, moreover, the condition of the people; and their ſmall ability to contribute, through the many violations of their rights, in the general liberties of the kingdom, in the particular privileges of that houſe, in their burdens, in their oppreſſions, which no times elſe could parallel. If, deferring ſuch complaints, they conſented to give at all, did it not ſpeak them more than ordinarily affectionate? He denied altogether that they were under any engagement to give. The laſt parliament of James had indeed declared for a war, and made promiſes for its ſupport; but where was their enemy? None ſuch was even yet declared. Where, too, was the reckoning that had been promiſed them for the grant then made? What reckoning, alas! *could* be rendered of the many thouſand men who had periſhed in the Palatinate and with Mansfeldt; or of the millions of treaſure that had been ſpent, without ſucceſs to the kingdom, and without profit or honour to the king? Other days there were when ſuch was noted *not* to be England's fate; days when God and ſhe were friends! And for this were inſtanced the glories of queen Eliza-

* The "*fifteenth*," within which came men of ſmaller means and fortunes than the "ſubſidy" reached.

beth, who, with leſs ſupplies and aids, increaſed herſelf at home, waſted her enemies abroad, conſumed Spain, raiſed the Low Countries, revived and ſtrengthened France. Upon all which it was deſired that there might be a petition to the king to move him to conſideration of theſe things, and to reform the government, then at his entrance and beginning, by the like counſel and advice. A petition and remonſtrance would further tell him how affectionate in ſuch circumſtances was that grant; which for himſelf, Philips added, he was ſo far from deſiring to augment, that he ſhould feel ſhame if any man further could be found to ſuggeſt it.

A great effect was produced by this ſpeech in the apprehenſion of the houſe, Eliot remarks, both for its ſettlement of the queſtion at iſſue, and its reflection on the times. It ſtruck a chord to which the reſponſe was immediate and deciſive. "The preſent povertie was "felt in the generall neceſſities of the countrie. The "cauſe of that was knowne to be the grievances and "oppreſſions. The loſs of men, loſs of monie, the late "infortunities of king James, were too obvious and un-"doubted; as the contrarie felicities of queen Elizabeth. "Soe as all men of themſelves ſawe the preſent want of "counſell, *and ſome reſolv'd, in time, more ſpecially to com-"plaine it.*" The taſk was difficult in the circumſtances that ſurrounded him, but Eliot had by this time, for himſelf at any rate, reſolved to undertake it.

He proceeds to ſay of Philips that there was in him a natural grace of oratory, "a moving and Neſtorean "waie of rhetoricke. A choiſe ſtore he had, and elegance "of words; a readineſſe and dexteritie in fancie and con-"ception; a voice and pronunciation alſo of much ſweet-"neſs; the whole expreſſion *profluens et canora*, but, as "ſome judg'd of Cicero, ſo by ſome thought in him, "*tumens et exultans*. A redundancie and exuberance he "had, and an affected cadence and deliverie: but upon "all occaſions, at all times, he ſpoke *from* the occaſion,

"*ex re nata*, which made his arguments, as more genuine "and particular, ſoe more acceptable and perſuaſive. "For in that place, alwaies, premeditation is an error; "and all ſpeech of compoſition and exactneſs being ſup- "pos'd *ex ore non a pectore*, thoſe children onlie of the "mouth fall ever ſhort of the true iſſues of the heart."

No oppoſition further was made, after the ſpeech of Philips, to a bill for the grant of two ſubſidies.* Even the king received it graciouſly, and from this aroſe the general hope of a ſpeedy concluſion and ſucceſs to that ſitting. Charles had at this time withdrawn to Hampton-court becauſe of the ſpread of the peſtilence in London and Weſtminſter, and his meſſage was delivered by the lord keeper on the 4th of July, the day before that appointed for the ſecond reading of the bill. Williams then told them that his majeſty had received great ſatisfaction and contentment in their gift both for the form and matter, it coming as an earneſt of their love. That he took into conſideration their ſafeties far more than his own, in reſpect of the danger of the ſickneſs ſtill increasing; and that when he ſhould hear the commons were ready, though he would not haſten them in anything, he would not defer one minute for any other reaſon to put an end to the ſitting by his preſence or otherwiſe.

Eliot gives an importance to this meſſage not heretofore underſtood by deſcribing the ſenſe in which it was received and the effect produced by it. What men deſire, he remarks, they are ready to believe; and it occurred to no man to doubt but that the king meant unreſervedly what was ſaid in his meſſage. The great majority of the members, therefore, diſpoſed themſelves preſently to leave for their homes. Their grant being accepted, and all things left to the diſcretion of the houſe,

* Philips's ſpeech, Eliot elſewhere remarks, "was a charme upon the "courtiers to ſuppreſſe their further craving. Yet ſomething was added by "the reſt for the improvement of the gift, that the recuſants ſhould paie "double: which after ſome ſmall letts was likewiſe recorded and concluded "on, whereof the acceptation and ſucceſs ſhall be noted in their order."

they knew that the buſineſs ſtill depending was inconſiderable, and that its tranſaction might be matter of courſe. The few queſtions that remained were of no very great importance; moſt of them were but formal; and more, they preſumed, would not be entertained. Acting on the king's expreſſed and ſuppoſed deſire, therefore, that they ſhould regard their own ſafety as of an importance paramount to any further immediate attendance, and relying on the implied aſſurance which his majeſty had alſo given, that, after interval ſufficient for ſuch ſafety, the means of reaſſembling would be duly afforded them, they believed their attendance to be for the preſent dispenſable, and no longer felt the neceſſity of remaining in a plague-viſited city.

"In this confidence," Eliot adds, "the greateſt part "went off. Hardlie were the commons a fourth part "of their number. And thoſe that ſtaied, reſolv'd "with all the haſte they could to follow thoſe that were "gone." How natural this was will appear further from the fact that at this date the deaths from plague had reached an average of 5,000 a week; and that the city had become ſo empty of its ordinary inhabitants that graſs was beginning to grow in the ſtreets. Lily the aſtrologer, who lived in a houſe over againſt Strand-bridge, and was in the habit of going between ſix and ſeven on theſe ſummer mornings to prayers at St. Antholin's church in Watling-ſtreet, tells us that in this now preſent month of July, on going there, "ſo few people were then alive and the ſtreets ſo un-"frequented" he met only three perſons in the way.*

Scarcely had the houſe thus quickly cleared itſelf of three-fourths of its members, however, when one ſubject aſſumed ſuddenly an importance not expected. The bill for tonnage and poundage had been introduced in the uſual form with the ſubſidy bill; but, upon the ſecond reading coming on before that fragment of a houſe,

* Lily's *Obſervations*, 15. And See Whitelocke's *Memorials*, i. 5.

ſuch ſtrong reaſons preſented themſelves againſt the ordinary courſe of procedure as to lead to the ſuggeſtion, firſt made by Sir Francis Seymour, which has raiſed againſt this parliament its ſharpeſt aſſailants. It will nevertheleſs appear to us, as here explained by Eliot, both juſtifiable and natural. The matter is too important not to be deſcribed in his exact words.

The bill, he ſays, "was drawne in the uſuall forme, "as formerlie it had been in the daies of king James; "for the like terme of life and in ſuch latitude as to "him. At which ſome exceptions were then made, and "motions for change and alteration; upon which it was "referr'd, for the better diſcuſſion and debate, to the "grand committee of the houſe, into which, the "Speaker leaving his chair, they preſentlie reſolv'd "themſelves. Some did object, in that, the exactions "of the officers, and the inequalitie of the cuſtoms then "required; and urg'd therein a neceſſitie for the mar-"chantes to have a new book of rates, to ſettle and "compoſe it; which could not be prepared in ſo ſhort a "time and ſitting. Others alleged the pretermitted "cuſtoms, grounded upon the miſconſtruction of that "lawe, which ought to be examined likewiſe; *and the "lawyers that then remayn'd were thought to be incapable "of that worke.* Therefore, on theſe reaſons, they "infer'd a deſire for a limitation in the act, and that it "might but continue for one year; againſt which time, "thoſe difficulties being reſolv'd, *they might againe renew "it with a larger extenſion and continuance.* Others to "this added the queſtion of impoſitions in the generall, "and crav'd a ſpecial care not to have that excluded. "The elder times were mentioned to note the former "grants, wherin, though there were collected a great "varietie and difference, yet all were within the limitation "of ſome years. Sometimes for one, ſometimes for two, "ſeldome above three, and that in the beſt raignes and "governments, and to the wiſeſt princes; *but never for*

" *life till towards the end of Henry VI,* in whoſe beginnings " alſo it had had other limitations and reſtraints, and for " the time a leſs extent and latitude. Upon which like- " wiſe it was concluded for a preſent alteration in that " pointe. The king's councell oppos'd this with much " ſollicitation and indeavor, and urg'd the diſtaſte it " might occaſion, having ſo many deſcents held conſtant " in that forme. The hopes and meritts of the king " wer compar'd with all his anceſtors; and it was preſt " as a prejudice therein if the grant ſhould then be " limited, having been abſolute to the others. *It was* " *thereuppon conſented that a proviſo ſhould be added for* " *the ſaving of thoſe rights;* and in this forme the bill paſt " that houſe, and had its tranſition to the lords, wher " it receav'd like favor and diſpatch; but was not made " a law, wanting the *roy le veut; which being denied it,* " *ſhowed what muſt be lookt for.*"

But other things had ſhown it before that denial came. The modified tonnage and poundage bill paſſed on the morning of Thurſday the 7th July, up to which time all had gone reaſonably well. Some threatenings there had been, but no ſtorm; and ſuſpicious as many felt in the matter of Montagu, all elſe ſhowed fairly, at the leaſt. On the evening of that day, however, a check and change came in. He whom Eliot calls " the Eolus" of the time had caſt an " alteration in the aer," and the winds were ſuddenly let looſe. Haſtily and unexpectedly the gentlemen in attendance on the duke of Buckingham who formed his council, and the major part of whom belonged alſo to his majeſty's privy council, were ſummoned, late that Thurſday night, to meet the duke at his reſidence in York-houſe. He had come direct from the king at Hampton-court, and a propoſition was to be ſubmitted next morning to the houſe of commons. It was to aſk, in the name of the king, for an additional ſupply!

All doubts as to Eliot's exiſting relations to the duke,

if any remained, are closed by the terms in which he describes this council. It was called together, he says, some time after midnight; and by reason of the suddenness and unseasonableness of the hour, the attendance was not only small, but confined chiefly to the class who were called "the duke's privadoes." Not only were few present, he adds, but they were such as had little judgment; the men ever ready to be attendant on the great being commonly those who are most "obnoxious"* to their humours, and who study not to counsel but to please. No objection was made that night, therefore, to the proposal of the duke. But on the following morning Eliot received startling proof of the effect it had produced upon the better class of Buckingham's counsellors.

VII. Eliot's final Interview with Buckingham.

The morning of Friday the 8th of July brought an early and unexpected visitor to Eliot. This was no less a person than the chief of the king's privy councillors in the lower house, Sir Humphrey May. Dismayed by the previous night's council at York-house, and hopeless himself of making impression on the duke, he sought the good offices of that popular member of the commons who alone could exert upon the favourite the double influence of his present position and a former friendly intercourse. "To that gentleman," writes Eliot, referring to himself, "whom he thought might be powerfull "with the duke, and knew to be affectionat to the "publicke, he came in great hast." He told him what the duke proposed, and already had directed to be done. He believed that a demand for additional supply, made in such circumstances, would be fatal; that both

* He means most dependant upon, or liable to, their humours; as where Milton speaks (*Samson Agonistes*) of being

> —— *made thereby obnoxious more*
> *To all the miseries of life*, &c.

diſhonour to the king and danger to the duke, were involved in it; and he importuned Eliot to give his help to "ſtaie or divert" it. Their meeting was at Weſtminſter, very near the time of the ſitting of the commons; and the duke was at York-houſe. Eliot objected that his interview, if he ſhould undertake it, might be long; in ſo great a difficulty it was not likely to be ſhort; and if the propoſition were meanwhile made to the houſe, before he could finiſh the work, his labour would all be thrown away. "But, to remove this doubt, the chancellor "undertook to ſtop the motion till he came. Onlie he "wiſht him to haſten his returne, and in his talk to inti-"mat that ſtaie unto the duke."

Eliot conſented; and the next ſentence of his narrative gives us a curious glimpſe of the habits of the time. He is ſtill ſpeaking of himſelf. "Upon this he makes his "paſſage, and addreſs; and comming to York-houſe, "findes the duke with his ladie yet in bed. But, notice "being given of his comming, the dutcheſs roſe and "withdrew into her cabanett; and ſoe he was forthwith "admitted and lett in."

Ourſelves admitted alſo to this ſtrange interview, the curtain of the paſt is uplifted for us at a critical time. Whatever elſe it might involve, the ſcene was at the leaſt to determine finally the future poſition of its actors to each other. Certain cauſes tending lately to eſtrange them have been ſeen; but as yet even Eliot has only partial knowledge of the extent of the influence adverſe to himſelf, which has been altering and alienating his old patron and friend. It was no ſufficient ſolution of the change that he had himſelf now taken up his poſition with the country party in parliament. Very recently Buckingham had found his own intereſt lie that way; and Eliot might fairly believe, that, upon the common ground of what was ſafeſt for the king and kingdom, agreement and coöperation were poſſible to them ſtill. Nor, judging the preſent moment of time by what we now know to

have followed it, will it be too much to ſay, that if Eliot could here have prevailed with Buckingham, and if the reſult had been that better underſtanding between the parliament and the court which he deſired to eſtabliſh, the courſe of Engliſh hiſtory might have changed. To Charles's quarrel with his firſt parliaments Clarendon aſcribes all the troubles of his reign; and now the good or the ill underſtanding publickly is to date from this day. What privately is to flow from its two hours' conference, not alone to the men ſitting in that bedchamber of York-house, but to the royal maſter they would both have ſerved, will not have exhauſted itſelf for many years. It will not have cloſed when Buckingham's wretched death has come. When Eliot ſinks beneath the king's unrelenting perſecution of his favourite's fierceſt aſſailant, it will be working ſtill. Nor until that harſh perſecution of Eliot is remembered and put forth, in later years, to juſtify the harſhneſs dealt out to an impriſoned king, will the cycle of wrong and retribution be complete that this day begins.

The firſt argument uſed by Eliot had reference to the king; reſpect to whoſe ſafety, he urged, as well as conſideration for his honour, ſhould diſſuade the duke from the courſe propoſed. He pointed out the poſition in which the ſovereign had been placed by the meſſage accepting the bill now paſſed for the two ſubſidies, and profeſſing ſatisfaction therewith; a meſſage which the duke's preſent propoſition muſt neceſſarily impeach, either in truth or wiſdom. In reply, the duke diſputed this conſtruction of the meſſage; declaring that the acceptance ſo made of the two ſubſidies granted, was but an acknowledgment of the affection thereby ſhown to the king, and not any admiſſion of its adequacy.

Eliot then with additional reaſons reaſſerted his own view, and begged the duke to recollect that the bulk of the members who liſtened to the meſſage were now, upon the very confidence inſpired by the language em-

ployed in it, abſent from their places in the houſe. He dwelt upon the ſmall number, not a fourth, that remained; and ſaid that if any demand to vote additional ſubſidies ſhould be forced upon that fragment remaining, it would be regarded by the members who were gone as an advantage taken of their abſence, in the nature of an ambuſcade or ſurpriſe. At no time, Eliot added emphatically, could ſuch a ſtep be eſteemed honourable dealing with ſubjects, and far leſs at the commencement of a new reign, "in the very entrance of the ſoveraigne." The rule then ſafeſt to obſerve reſted on higher authority than his. *Ut initia proveniant fama in cæteris eſt.* To all which, including the hint from Tacitus, Buckingham liſtened gravely; but contented himſelf with the dry comment that "the abſence of the commons was their own "fault and error; and their neglect muſt not preju- "dice the ſtate."

Better ſo, rejoined Eliot, than prejudice the perſonal honour of the king. Take away that, and "noe prince "was great, hardly anie fortunat. And on theſe grounds "a larger ſuperſtructure was impos'd, as occaſionallie the "conference did require. For his own," the duke's, "ſaftie," he continues, "manie things were ſaid; ſome "more fitt for uſe than for memorie and report. The "generall diſopinion was objected which it would ſurelie "worke to him, not to have oppoſ'd it whoſe power was "knowne to all men. Naie, that the command comming "by himſelf, would render it as his act; of which impu- "tation what the conſequence might be, only a higher "power could judge, men that are much in favour being "obnoxious to much envie." Though Eliot cares not to remember or report all he ſaid, what he does report will ſhow how pregnant was his warning. The anſwer returned though weak, he adds, was yet ſuch as implied no yielding. In the duke's opinion the perſonal honour of the king ſtood, not on the conſtruction of any particular meſſage, but wholly on the

expectation of the fleet then buſily preparing. He would not ſay for what ſervice it was bound. But the vice-admiral might account it certain that the ſervice, all important as it was, could not be performed unleſs the ſhips were ſpeedily ſet forth; that they could not be ſo ſet forth without more money; and that to the king's chief miniſter this was the matter wherein pre-eminently the honour of the king was ſo engaged, as to outweigh all conſiderations for himſelf.

One more argument remained, which Eliot had reſerved to the laſt. It was an argument that probably he would fain not have uſed at all, but which happily elicited the reply that gives to his account of the conference its greateſt value. It ſupplies the clue to Buckingham's character, and explains the failure of theſe early parliaments of the reign.

Plainly, then, Eliot told the duke that even though he were diſpoſed, as indeed he was not, to admit any force in the replies that had been made to the conſiderations he had urged, he had yet to inform his grace that it would be better the ſcheme were laid aſide, for *it would fail.* It would fail; and not merely in the ſenſe of that immeaſurable loſs to the king which in ſuch caſe muſt attend what the duke would call ſucceſs, "by "alienation of the affections of the ſubjects, who being "pleas'd were a fountaine of ſupplie without which "thoſe ſtreames would ſoon drie up." Not even ſuch ill-omened ſucceſs, not even the ſhow or ſurface thereof, would it obtain. Better than the duke he knew the temper of the houſe of commons. Though hardly ſixty members were on the benches that morning, and of theſe the country members were the minority, he yet took upon himſelf to warn the duke that a propoſal for another money vote that ſeſſion could have no other poſſible fruit than cauſes of freſh diſagreement between parliament and the king. Such a vote would not paſs. Buckingham liſtened impatiently, let fall a haſty word,

and the whole truth flaſhed upon Eliot. Succeſs was not ſo much deſired, as reaſonable ground for quarrel. "The propoſition muſt proceed without conſideration "of ſucceſs; wherin was lodg'd this project, *meerlie to "be denied.*"

Further effort was hopeleſs; and yet, excited by diſcovery of that "ſecret," Eliot ſo preſſed the favourite as to "draw on others that ſupported it of greater weight "and moment." Theſe he does not name, but it was plain that now no other courſe was open to him than to bid the duke farewell. Unexpectedly he had obtained guidance for himſelf through ſuch danger and ſuſpicion as yet might lie before him. From what had paſſed, that at leaſt was clear; though, as he ſays, in the ſignificant ſentences which cloſe his narrative of this extraordinary conference—

"—*For the preſent* it gave that gentleman" (himſelf) "ſome wonder with aſtoniſhment: who with the ſeale "of privacie clos'd up thoſe paſſages in ſilence, yet "thereon grounded his obſervations *for the future*, "THAT NOE RESPECT OF PERSONS MADE HIM DESERT "HIS COUNTRIE."

VIII. Last Two Days at Westminster.

From York-houſe Eliot went with all diſpatch to the houſe of commons. The labour he had given to the interview, "not miſpent, had taken up much time. Two "howers, at leaſt, went into the treatie and diſcourſe, "which with the intercourſe had ſoe waſted the fore-"noone, as ther remayned but little at his comming "back to Weſtminſter; wher the like difficultie had "been to retard the propoſition for that time."

Sir Humphrey May's promiſe to keep back the duke's propoſal, he had found it difficult to keep. For the meſſage had been put "not as other meſſages from "the king into the mouths of his councillors and great

" officers, whereof there are never wanting in the com-
" mons' houſe too manie," but by the duke's ſpecial choice, and as indication of further intended preferment, to a member not yet holding office, whoſe ſelection for that employment had so elated him that he " labour'd as a woman does with child, in deſire to " bring it foorth." Poor Sir Humphrey had had much ado, before Eliot's appearance, to prevent a premature delivery. But the very aſpect of the member for Newport, as he entered the houſe, ſufficed to ſhow that he had failed; and the duke's ſelected inſtrument aroſe.

" The man ſo choſen," ſays Eliot, " was Sir John " Cooke, raiſed from a low condition to that title by the " duke. To him he had beene recommended by that " ould courtier Sir Foulke Grevill; under whom he had " had his education as a ſcholler, and ſoe was his ſervice " and imploiment. But his converſation being with " books, and that to teach not ſtudie them, men and " buſineſs were ſubjects which he knewe not; and his " expreſſions were more proper for a ſchoole than for a " ſtate and councell."

The ſpeech in which he introduced the duke's propoſal as from the king, may be briefly deſcribed. His majeſty thanked them, he ſaid, for the earneſt of their love in the gift lately made; and had directed him, in acknowledging the munificence, the royalty, of that gift of three ſubſidies and fifteenths which the laſt parliament had voted, to give some general account of the expenditure. In Ireland, there had lately been diſburſed thirty two thouſand pounds; for the navy, up to that date, thirty-ſeven; for the ordnance and forts, forty-seven; for the regiments in the Low Countries, ninety-nine; and for Mansfeldt's levies, ſixty-two. It had been complained that there was no expreſs declaration of war, but every one knew their enemy. Even then Cooke refrained from naming Auſtria and Spain; but he added that the powers which now ruled the continent were known to all, as well their deſigns gene-

rally upon the German ſtates as their ultimate deſigns upon England, which, if not timely checked, would leave to them only the favor Ulyſſes obtained from Polyphemus, to be the laſt devoured. He named, without detailing their terms, the treaties with the kings of France and Denmark, with the ſtate of Venice, with the duke of Savoy, and with the Low Countries. He handled warily the one exploit of the war, the ſole achievement they had to ſhow for their expenditure hitherto. He could not but admit, what a worthy gentleman had related to them, the diſaſters of the Mansfeldt enterpriſe. The faults in thoſe troops at Dover could not be excuſed, men having been choſen ſuch as would be kept under no government. But the objection was not a juſt one that had condemned the ſelection of a foreigner to lead thoſe troops. It was to be conſidered that the whole army compriſed French and Dutch, as well as Engliſh; that if an Engliſhman had commanded it, the French would have been diſcontented, and ſo the Engliſh if a Frenchman; that more generals than one would have raiſed difficulties of precedence; and that on theſe grounds, the man moſt indifferent might be fairly held the moſt fit, as being leaſt likely to ſuggeſt objection. It had ſeemed right to the worthy gentleman already referred to, to take a further objection from the event; but as to that, let them likewiſe conſider that it was not man's to ordain ſucceſs, and that he was no equal judge who ſo meaſured what paſſed in this world. Nor, though there had been impeachment of ſome good effects expected, and Breda had not been ſaved, had the deſign been altogether unprofitable; keeping divers princes of Germany, as it had done, from declaring themſelves for the enemy. Such, then, was the account he had to render for the vote of the three ſubſidies and fifteenths. But his majeſty had further commanded him to give account of what muſt neceſſarily be ſpent upon the preparations then in hand. The houſe had voted ſomething ſhort of two hundred thouſand

pounds. But the charge of the fleet then preparing would much exceed that ſum. In the navy office alone it would be two hundred thouſand, beſides forty-eight thouſand in the ordnance, and forty-five for the landſmen. Nor was this all. Monthly ſubſidies of twenty thouſand each were promiſed to Mansfeldt and the king of Denmark, and an additional ſum was to be paid to the latter prince to draw him into Germany. To all this his majeſty's ordinary revenues were unequal. Theſe being exhauſted, and the crown lands overcharged with other expenſes both of neceſſity and honour, the king's engagements could not be ſupported without more help by parliament *or elſe ſome new way*. His majeſty was in debt. The lord-admiral had engaged his eſtate. Other miniſters had helped in their degrees. Should it be ſaid that theſe men were left to be undone for their readineſs to the public ſervice? Would they proclaim their own poverty by loſing all that had been beſtowed upon the enterprize becauſe they could not go through with it? What were they to ſay to the honour of the king? But that was not all. Even his majeſty's eſtabliſhment on his throne, the peace of Chriſtendom, the ſtate of religion, depended on that fleet. Their adverſaries (ſtill he avoided employment of the word *enemy*) had indulged in very inſolent ſpeeches ever ſince the taking of Breda. The French inclined to civil war. The people brandled * in Italy, and fainted, as their forefathers were wont to do, after the heat of the firſt enterprize. Germany only was to be counted on. The catholic league had been prevented from aſſembling to the ruin of the proteſtants by their German allies alone. To reunite the princes, to encourage the French, to ſupport the States, to oppoſe the catholic league, what had they but the reputation of Mansfeldt's army, and the expectation of the fleet then

* From the French word *brandiller*. It is uſed in the ſenſe of wavering or ſhaking. Jeremy Taylor ſo uſes it, but it is of rare occurrence after the reign of James.

preparing? Was it to be ſaid, that, forſaken of his ſubjects, the king had been enforced to abandon religion, and to ſeek a diſhonourable peace? It was Sir John Cooke's concluſion, upon all theſe conſiderations, that money alone could ſave them; and he would therefore move that they ſhould preſently make an addition of ſupply.

"Thus ſpoke that worthie," ſays Eliot, proceeding to explain how it happened that he ſpoke to no purpoſe whatever. He found only one hearty ſeconder. This was "a council-clerk and ſervant of that time" who repreſented Dover, Sir William Becher, a creature of the lord-admiral's, poſſeſſing neither reaſon nor authority; and ſuch was the effect of a prompt reply "by a worthie "gentleman of Lincolnſhire, Sir Thomas Grantham, who "was never wanting to the ſervice of his countrie," that the motion "forthwith died and periſhed, though from "the duſt therof more troubles did ſpring up."

Why it ſhould have died without debate, was of courſe in a meaſure alſo attributable to what Eliot relates of the diſaffection of the ſection of courtiers headed by Sir Humphrey May. Their fears had not been leſſened by the tone of Cooke's ſpeech; and though Eliot more than hints that their disfavour had ariſen from the fact that "it came not in particular by them, and they were not "preconſulted for the worke," he is yet careful to ſtate that "the immenſe calculations and accounts, the far-"fetcht and impertinent relations, the artificial poſitions "and concluſions," of Buckingham's ſelected ſpokesman, received no ſanction or adheſion from them. Neither did they make any attempt, he adds, to reſiſt the diſapproval ſtrongly excited among the country members by what Cooke had put as a poſſible caſe, that the houſe might forſake the king and that the king might abandon religion. "This," he remarks, "was deem'd both "ſcandalous and offenſive; as was that mention of *new* "*waies*, which the more was noted becauſe it had hap-"pened once before, and therefore was not thought to be

"accidentall or by chance." What the iſſue might have been, however, even as regarded May and his friends, if the motion had been preſſed to a diviſion, Eliot avoids diſcuſſing. He contents himſelf with ſaying: "Ther "was noe deniall, nor noe queſtion: it being never "brought ſoe farr. Which had almoſt a miracle within it; "for ther were hardlie then threeſcore in the houſe, and, "of thoſe, countriemen not the moſt. Anie ſupport or "agitation it had had, muſt have needs driven it to a "conceſſion, or the contrarie; but through the wiſdom "of the time, exceptions were declin'd, and it vaniſh'd "through its own lightneſs or futilitie." Even ſo. But not therefore were its conſequences leſs diſaſtrous. It was the preſent avoidance of an open conflict that gave the duke his future opportunity.

As a thing of courſe, after this incident, all freſh buſineſs was abandoned. Early on the following day, Saturday the 9th of July, upon the motion of Mr. William Strode, member for Plympton, the commons joined the lords in an addreſs to which the king replied, that obſerving their repreſentations of the plague and the abſence of members, the thinneſs of the houſe and the danger of the time, which had indiſpoſed them to further buſineſs, he acceded thereto. "His neceſſities were "great, yet the conſideration of their ſafties ſhould diſpoſe "him to diſmiſs them for that time, though they muſt "ſhortlie meet againe. That *ſhortlie* was not then rightlie "underſtood." Much lay in the word which no man underſtood who heard it at the time, though he had not to wait long in uncertainty. "Noe man," ſays Eliot, "did doubt that which the word intended. Moſt men "did refer it to the winter or the ſpring, the conventions "of that councell being ſeldom neerer, or more frequent. "But an effect it was of the powerfull influence of the "D, which not long after was more perſpicuous and "apparent." In other words, the duke had reſolved to puniſh the houſe of commons for their late diſaffection

to himſelf, and the rod which was to make them ſmart for it was preparing. On this very day, "being but the "daie before," he overbore Williams at the council, and carried what he had determined. So ended all hope of any future right underſtanding. The miſerable ſtrife ſet in that was to laſt to the cloſe of the reign.

Eliot ſtops, at this point, to dwell upon the temper now ſhewn by Buckingham; to deſcribe the effect produced by rejection of his propoſal, on his intercourſe with even his dependants; and to deplore the miſery which awaited England from that wanton and unbridled will. It was doubtleſs the turning point of the deſtiny of Charles the Firſt, for if the young king had ſtarted with a diſpoſition to treat the commons fairly, he would have kept at his ſide the moſt powerful and moſt loyal of his ſubjects, who were then the truſted leaders of that houſe. As it was, he ſacrificed everything to the man of whom Eliot proceeds to ſpeak in theſe weighty and pregnant words.

"That unexpected iſſue to the duke caus'd likewiſe a "new trouble and diſorder. All his privados were con- "demn'd, as remiſs and negligent in the ſervice. His "frends were all complain'd of, thus to have fail'd his "hopes. Everie man was blam'd, but him that was moſt "faultie. What he intended in his corrupt reaſon, or "affection, to *that* he would have had even the Heavens "themſelves conſenting. Soe unhappie are ſuch perſons, "through the diſtractions of their greatneſs, that ſucceſſe "they thinke muſt follow the Via Lactea of their fancies, "and that the rule of that, naie of the world itſelf, "ſhould be ever by the proportion of their wills; and "rather than fail therin, if the ſuperiors be not flexible "the infernal powers ſhal be ſtudied, with their arts. "That was the infelicitie of this man; and at this time "it firſt open'd and diſcover'd, though not cleerlie but "by ſhadows. Being diſorder'd in his purpoſe, which "almoſt noe man yet did know, he condemns both his "fortune and his friends. But for himſelf, nothing was

"leſs reſolv'd on than that which was moſt neceſſarie. "*Noe retraction of the courſe!* That which had beene, "becauſe it was done by him, muſt be both juſtified and "maintain'd. And that juſtification must appeare in the "approbation of the worke, by a future proſecution that "was worſe." This evil conſequence followed quickly.

Monday, July 11, being appointed for adjournment, the reſt of Saturday was given to the completion of a bill of continuance. It was ſtill at that time doubtful if a ſeſſion were not neceſſarily determined by the fact of bills receiving the royal aſſent; and the object of the ſhort act now framed was to provide that ſuch aſſent ſhould not ſo operate ("as was ſuppoſed by ſome" interpoſes Eliot, "though preſidents ſpake the contrarie); * "but that the ſeſſion ſhould continue by adjornment, "and all things ſtand in the condition that they left them, "ſoe to be reſum'd againe at the next time of meeting." This done; and, in the opportunity afforded by the brief interval remaining, other matters alſo diſpoſed of; † the morning of Monday arrived.

Hardly had prayers been ſaid when the lords intima-

* Simonds D'Ewes differs from Eliot on this point. Mentioning the fact of ſo many bills having paſſed, he adds: "And therefore it was doubtleſs a "prorogation of the parliament, and not an adjournment; although ſome "of the members of the lower houſe themſelves ſtyled it, as did alſo the letter "I received from London, by the latter appellation." *Autobiography*, i. 275.

† Eliot thus refers to them: "This done, and the act of confirmation "being paſt for three ſubſidies then granted by the clergie, ther being a "little time remayning it was ſpent upon a petition from the priſoners in the "Fleet. They had been ſuitors to the lords, in reſpect of the great danger "of the ſickneſſe, to have libertie by order from the parliament, by habeas "corpus, to goe abroad. The lords imparted the motion to the commons. "The commons, thereupon, taking conſideration at this leaſure, upon theſe "reaſons thus reſolved it to be repugnant to the lawe. Firſt, that it "was againſt the intention of the writt, wh^ch^, commanding the keeper "to bring his priſoner to a judge, implies the neereſt waie he has, not, as "the abuſe went, to let him travell wher he liſt, to hunte and hawke the "whole vacation in his countrie, and at terme againe to reſort unto his "priſon. Then, that it was legallie an eſcape, and ſoe the creditors "ſhould be prejudiced; for w^ch^ ther were divers judgments cited, "and ſome caſes demonſtrative in the pointe; as 5 H. 6, when, in conſidera-"tion of the State, ther being ſpeciall ſervice at that time for ſome "miniſter then impriſoned, and the like libertie was deſir'd, the judges,

ted to the commons their receipt from the king of a commiſſion for the double purpoſe of adjournment of the parliament, and of royal aſſent to certain bills which had paſſed the houſes. Comparatively few as the members attending were, at the time when this meſſage was delivered from the lords, it raiſed a hot debate on privilege. Our knowledge of the fact we derive ſolely from Eliot, and it is very characteriſtic of the temper of the commons at the time.

The ſubſidy bill was the principal one waiting aſſent; and it was pointed out that this bill had never been returned from the lords, whereas the rule was that all ſuch bills having paſſed the lords ſhould be returned again as the peculiar property of the commons, with whom it reſted, upon their attendance either for diſſolution or adjournment, to preſent them by their Speaker as their free act. This was not diſputed; but it was pointed out that the ſubſidy bill had been appended with the reſt to a commiſſion properly belonging to the lords, and that therefore it could not be detached. A compromiſe was thereupon ſuggeſted, and the Speaker was required to give aſſurance that "in an expreſſion at the "place" he would be careful to ſave the right of the commons.

As to the adjournment, however, no compromiſe was poſſible. "This," ſays Eliot, "having alwaies been "their owne ſole act and worke, in admitting it by com- "miſſion from the king it was then thought an innova- "tion of the right, which might induce a preſident

"upon conſultation, did denie it. And before that, it was noted, that all "kinde of eaſe or remove from one priſon to another was wholie refuſed, "w^th^out conſent and liking of the creditors. For this, therefore, it being "ſo contrarie to the lawe, and in favor of abuſe, however pittie did move "in contemplation of the men, yet their dangers being not equall to the "danger of the kingdome w^ch^ would followe the exinanition of the laws, "it was thought fit not in that particular to admitt it, or that admiſſion, at "the leaſt, not to be made by parliament. W^ch^ opinion being ſignified to "the lords, they in like manner did reſolve it, and ſoe all inſtance ceas't. "This was the ninth of Julie, being Saturdaie."

"againſt them; and ſoe retrench their libertie for the "future. And for this purpoſe the difference was "obſerv'd between adjornment and prorogation, as pro- "rogation and diſſolution have their odds. That the "two latter in their kindes were in the prerogative of "the king; the adjornment, in the priviledg onlie of "the houſe. Therefor a meſſage in that caſe was dis- "patcht for accomodation with the lords; who there- "upon agreed to read onlie in their preſence the com- "miſſion for aſſent, and in the other to leave them "wholie to themſelves."

The diſpute of privilege thus arranged, the Speaker and ſuch of the commons as remained prepared to depart to the upper houſe; and the feeling which poſſeſſed them that day, differing ſo widely from the hope and eagerneſs of the day of their aſſembling, is remarked by Eliot. Of ſatisfaction we had not much, he ſays, and of promiſe far leſs. "In the matter of religion, though "ther were a faire anſwear in the generall, yet Montagu "was protected, and to that end made chaplain to the "king. In other things, the anſwear to the grievances "was but ſlight, and ſuch as imported ſmall fruite and "benefit to the ſubject. The bill of tonnage and pound- "age was reſpited, and yet thoſe levies made; which "was held an indication of more love to the waies of "power than of right. The lawes that had approbation "were not manie, and the choice of them not great. "That againſt recuſants was not paſt; and, in all, their "number was but ſeven: whereof the ſubſidies of the "laitie and clergie made up two, ſoe as the reſt imported "little to publick happineſs." He proceeds to name each in ſucceſſion,* and his character of them juſtifies his ſtatement.

* In the following terms:

"1. An act for puniſhing of divers abuſes committed on the Lord's Daie.
"2. An act to enable the K to make leaſes in the Dutchie of Cornwall.
"3. An act for eaſe in obtaining liveries of alienation.

"That for Religion, for ſoe it was pretended, onlie "did provide againſt bullbaitings, enterludes, and the "like unlawful paſtimes on the Sundaie; and therin "alſoe with a mixture of civill conſiderations and reſpects. "That for the Dutchie, had aſpect but to the profitt of "the king, though with ſome ſhadow and pretence of "advantage to the tenants. That for Alienations onlie "lookt at ſome ſmall decreaſe of fees, and had reference "but to few, and rarlie of uſe to them. That for "reſtraint of Alehouſes, was in effect but what had been "before, for the repreſſing of tiplings and diſorders; "which both before and then were more decried than "puniſhed, as reformation is leſs eaſie than complaint. "The reſt need no comment to explane them; ſenſe "without reaſon making demonſtration of the Subſidies; "and for the Other, if it had wanted midwives much "trouble had been ſav'd which afterwards did followe "that prodigious birth at Oxford." Better for us there had been no act of continuance, he means; better to have been diſſolved at once. The prodigy ripening for birth at Oxford, was the propoſed reaſſembling in that city after a few days; on which Buckingham had reſolved, and of which with amazement they were now to hear.

Rumour of it ſeems ſuddenly to have reached them before the meſſenger called them to the lords; and there are indications of a hurried debate, but of no want of accurate perception of the drift of Buckingham. That he was bent upon preventing any continuance of the united action of the commons, and failing this had reſolved to get rid of them, was perhaps diſcernible with no great difficulty, apart from the ſpecial knowledge Eliot poſſeſſed. By the pretence of reaſſembling them, they were to be ſcattered apart more widely; and if that

"4. An act for reſtraint of alehouſes and victualling houſes.
"5. An act for confirmation of the ſubſidies granted by the clergie.
"6. An act for two entire ſubſidies granted by the temporaltie.
"7. An act that the ſeſſion ſhould not then determine by the roiall "aſſent to other acts."

plot for a diminiſhed attendance ſhould fail, or a compact oppoſition ſtill preſent itſelf, the cauſe of quarrel lately found yet furniſhed plauſible pretext for a diſſolution. But, be it ſo, we muſt meet at all hazards, was the tone at once taken equally by Sir Edward Coke and Sir John Eliot; the latter at the time knowing well, as he enables us now to know, what Buckingham deſired and was prepared for. Some on the other hand would have aſked, even yet, whether there might not be a winding up of the ſeſſion and a prorogation to Chriſtmas. Too late, cried Eliot; adding with characteriſtic ſpirit, that he ſhould himſelf, before they ſeparated, move for a full attendance at their coming together again. "Move it when "we return from the lords," ſaid the member for Surrey, Sir George Moore; and the words were ſcarcely uttered when the uſher appeared.

The lord keeper was chief commiſſioner, and had to announce to the commons what he had himſelf moſt ſtrongly, for purpoſes of his own, reſiſted at the council.* But Mr. Speaker firſt did the part aſſigned to him. Laying his hand upon the bill of ſubſidy, "as it was "hanging with the others to the commiſſion that muſt "paſſe them," he made as if to take it to himſelf; and then, claiming it in the name of the commons, returned it formally as their preſentation and free gift to the king. Whereto, in the ſovereign's name, Williams briefly anſwered.

* He appears to have been ſupported in this reſiſtance by Sir Humphrey May and ſome others, but they were powerleſs againſt the duke. In a later part of his narrative Eliot tells us that during the excitements of the Oxford ſitting all this became known. "Upon privat diſguſts amongſt the courtiers, "*the ſecret was let out of the conſultation thereupon*, and how the keeper with "ſome others, when the propoſition for the adjornment to Oxford was firſt "made, being but the daie before it was, had w^th^ much violence oppoſ'd it "to the king, w^th^ reaſons both of honor and profitt to perſuade him, and "yet were therein maſter'd by the duke, who, like a torrent at reſiſtance, did "forthw^th^ ſwell againſt them, and threatned w^th^ his weight their ruine for "that ſervice." What Eliot adds of the ſubſequent contention between the lord-keeper and the lord admiral, and the manner in which the unſeemly difference was uſed for advantage of partizans on either ſide, will be ſeen hereafter.

The king thanked them, he ſaid; and he had it in charge to inform them that he intended his anſwer to the petition for religion to be real and not verbal. Very ſhortly after their reaſſembling they ſhould have a particular ſatisfaction in that point, and in the mean time he would command a ſtrict execution of the laws. The bills deſcribed by Eliot received then ſucceſſively the royal aſſent; and Williams declared the king's pleaſure to be that the houſes ſhould adjourn, and reaſſemble at Oxford on Monday the firſt of Auguſt.

The commons returned to their houſe, ſays Eliot, troubled and wondering; though he does not ſay that he partook himſelf of the amazement and diſmay. The reaſon for which ſuſpenſion of their ſittings had been promiſed, was the ſpreading of the plague; and now, while that danger hourly increaſed, their ſittings were to be reſumed in a fortnight. So greatly had the terrible diſorder been increaſing, that fears had come to prevail of its breaking out wherever a crowd might aſſemble. "All perſons now," ſays Eliot, "were ſuſpected, and in "jelousie; men, if they could, even flying from them-"ſelves. The houſes, ſtreets, and waies, naie, even the "feilds and hedges, almoſt in all places neere London "and about it (beſides the miſerable calamities of the "citie), preſenting dailie new ſpectacles of mortalitie." Moſt ſpecial reaſons were there alſo why Oxford ſhould not have been choſen, for already the diſeaſe had actually ſhown itſelf there.* "It was entred," Eliot tells us, "into ſome few houſes of the towne, and ſome of the "colledges were infected. Moſt of the ſchollers were "retir'd; and that was an aggravation to the danger, "which being apprehended to the full became an aggra-"vation of the fear." This could not fail to be known, he ſays, though ignorance of it was afterwards pretended.

* Williams, than whom none is more likely to have known the truth, expreſſly told Buckingham that two colleges in the univerſity and eight houſes in the city had already been viſited by the plague. *Scrinia Reſerata*, ii. 14.

He adds that apart from all this, and ſuppoſing fear to have been felt unneceſſarily, the ſhort interval allowed for receſs involved in itſelf ſo much manifeſt inconvenience and annoyance that its purpoſe could not be mistaken. "Some," he remarks, "had but opportunitie, "whoſe habitations were remote, to make onlie a viſit to "their families, and at firſt ſight to leave them. Hardlie "anie one had leaſure for their fit accomodation and "proviſions, but ſuffer'd ſome inconvenience or defect. "Their travell on the waies, their danger in the inns, "and the little ſaftie could be promis'd at the period, "tooke off all pleaſure from the jorney; while the occa- "ſion that did move it was more diſtaſtfull than the "reſt."

Nevertheleſs, no oppoſition was made when, immediately after reaching their own houſe, Eliot roſe and moved "that within three days after our next meeting "the houſe ſhall then be called, and cenſure to paſs upon "all ſuch as ſhall then be abſent." Sir John Cooke only ventured upon the remark that his majeſty could have no alternative but to call parliament together ſpeedily again, for ſupport of the war in which they had engaged him, and which could not be given without money or credit. The ſubject was not purſued. It was well known, Eliot intimates, who the perſon really reſponſible was; and that what they accepted for "a juſtice in the "king," they could not but account "an injurie in his "ſervants. But obedience was reſolv'd on; and through "all the difficulties of the time, the king's pleaſure was "prefer'd." What he adds of the adjournment is a curious illuſtration of the difference between the houſes, and the greater jealouſy of the commons, in regard to ſuch matters. "The lords, upon the departure of the "commons from their houſe, read ther the commiſſion "for adjornment, ſo much they differ from the others "in order; who, having likewiſe the writt brought down "to them, refus'd to read or open it; but, as their owne

"act, not varying in the circumſtance, pronounc't it by "their Speaker that the houſe adjorn'd itſelf; and ſoe "diſſolv'd that meeting."

A ſorrowful cloſe to what had opened with ſo much promiſe. The report of it flew preſently, Eliot tells us, to all parts, and affected men everywhere with wonder at the ſtrangeneſs. For "London then was the conſtant ſeat "of parliaments, which noe wher els had beene for divers "ages paſt: that in the vulgar ſenſe they were incorpo-"rat to that place." The place ſubſtituted, too, had in itſelf an evil omen. "It was noted," Eliot continues, "as ſomething ominous and portentous, for the ſucceſs "it gave to the like meetinge in foretimes. It rais'd a "contemplation of the miſeries which follow'd that unfor-"tunat convention in the daies of Henry the Sixth, with "the reaſons and intentions that had mov'd it; and "from the reſemblance of the cauſes was deduc'd a like "ſuppoſition for the effects. Which gave a fear to all "men, who in their hearts deplor'd the unhappineſs of "thoſe princes that expoſe themſelves to the corruption "of their miniſters."

So clearly Eliot foreſaw what he did not live to witneſs. Hardly more than twenty days had paſſed ſince theſe repreſentatives of the Engliſh people were haſtening eagerly to London to be the firſt to offer loyalty and ſervice to their young ſovereign, and now they were leaving London with forebodings drawn from the darkeſt days of their hiſtory. The ſhort interval had ſufficed to determine the character of the new reign. When the commons met again it would be to anſwer the challenge Buckingham had flung down to them, and to begin the momentous taſk of determining which was indeed the ſtrongeſt power in the ſtate. The wiſeſt of the Plantagenets, the ſtrongeſt and boldeſt of the Tudors, had never raiſed that iſſue; and even Charles's father, while ſtraining the prerogative as they would never have attempted, had been ſhrewd enough always to ſhuffle

back before the ſtep that would finally have committed him. If there was yet a hope to avert the ſtruggle, in the intereſt of the ſovereign himſelf, it could be only by aſſailing, and if poſſible overthrowing, the influence of Buckingham. The ſuddenneſs with which that miniſter became the object of a combined attack, led by men with whom very recently he had been in familiar or official intercourſe, is thus accounted for. Hiſtory heretofore has explained it imperfectly, but the revelations made by Eliot leave it no longer doubtful. Himſelf ſtill an officer of the ſtate, he had to decide upon the inſtant whether nominal ſervice heretofore paid to Buckingham ſhould avail to intercept or weaken a higher allegiance due to the public ſervice and the king; and his very firſt official act, on returning to the weſt the day after parliament adjourned, will ſhow us that already his deciſion had been irrevocably taken.

He was thenceforward to work out practically, in what remained to him of life, the thought that had riſen to him in his memorable laſt interview with the miniſter. "With the ſeal of privacie he clos'd up thoſe paſſages in "ſilence, yet thereon grounded his obſervation for the "future—*that no reſpect of perſons made him deſert his "countrie.*" Yet the reſpect of perſons was even now ſo far to influence him, carrying with it memories and influences of youth, that it was not his voice which raiſed itſelf firſt againſt the man whom in the intereſts of his country he could no longer heſitate to oppoſe.

BOOK SIXTH.

FIRST PARLIAMENT OF CHARLES THE FIRST: AT OXFORD.

1625 (JULY AND AUGUST). ÆT. 35.

I. Receſs: Eliot in the Weſt.
II. Reaſſembling: Firſt and Second Days.
III. In Chriſtchurch Hall; and the Morning after.
IV. A Memorable Debate.
V. Chooſing Parts; and aſſiſting at a Play.
VI. The Serious After-piece.
VII. Laſt Scene but One.
VIII. Cataſtrophe and Falling of the Curtain.

I. RECESS: ELIOT IN THE WEST.

ELIOT quitted London on the day of the adjournment, travelling to the Weſt. Exciting news reached him as he paſſed along. Turkiſh pirates had appeared in large numbers off the coaſt, and done miſchief to an unuſual and extraordinary amount. They had ſeized numbers of ſhips, rifled their cargoes, and carried the crews off captive. Such had been the terror inſpired, that hardly a veſſel ſince dared venture from the weſtern harbours. Nay, even the latter were not ſafe. In ſome parts the enemy had entered and ſhown himſelf in the very mouths of the cloſe havens; and all the open roads he uſed as confidently as if they had been his own. No

reſiſtance had been offered, or was poſſible. From under forts and caſtles, left helpleſs and unguarded, the Turks had taken Engliſh ſhips.* The whole of the weſtern ſea was at their mercy; and they had alſo carried off their prizes from the ſhore, having landed in various parts of Cornwall. Not a fiſherman could ſtir along that coaſt but for prey and purchaſe at the pleaſure of his plunderers; and whether rich or poor ſuffered moſt, no man could ſay. Beſides the actual loſs in ſhips to the merchants, trade had been completely interrupted; and this threw a damp over everything, "commodities "being not vendible where the tranſportation is denied."

Such is the account given by Eliot of the complaints that reached him as he journeyed home. He eſtimates the number of Chriſtians captured during the outrages at not leſs than twelve hundred. "This man bewayl'd "his ſonne; that, his father; another, his brother; a "fourth, his ſervant; and the like. Huſbands and "wives, with all relations els of nature and civilitie, did "complaine." That ſuch diſtreſs, increaſing in its cries with every freſh alarm, ſhould at laſt take the form of a panic, was not ſurpriſing; and while Eliot admits that the feeling he witneſſed ("even the chief towns "and ſtrengths not privileged or excepted") ſhowed ſome exaggeration, and that "the people, as their man-"ner is, fain'd or enlarg'd the cauſe after the apprehen-"ſion of their fancies," he proceeds in the ſtrongeſt manner to ſtate that the danger and the loſs had been unprecedented ("noe former times having been ex-"ampled with the like"), and that there were attendant circumſtances well accounting for the indignation that

* All this was in addition, be it remembered, to the ordinary dangers of the coaſt from which captains and owners were conſtantly ſuffering, at a time when, though all ſeaport towns were heavily taxed for their preſervation, no pains were taken to preſerve them, and even the proviſion of light-houſes at dangerous points of the coaſt was made matter of jobbing and monopoly.

accompanied the fear, and more than juſtifying the impatience diſplayed againſt the "miniſters of ſtate."

To thoſe miniſters prompt and inceſſant intelligence had been ſent of the "raids and ravages" of the Turks. Sir Walter Erle, immediately before the adjournment, had publicly warned the privy councillors of their approach. Special prayers for relief had ſince, day by day, been addreſſed to them. Nor would relief have been difficult. After referring to the preparations in hand for the great fleet, whoſe deſtination the commons had vainly endeavoured to aſcertain, but in which there was no doubt that all the hopes moſt cheriſhed by Buckingham and the king now centred, Eliot makes this remarkable ſtatement.

"Divers ſhips were then readie of the ffleet, w^ch^ might "have been commanded to that ſervice. They lay idle "in their harbours, in the Thames, at Portſmouth, and "elſwhere; all their men and proviſions being aboard. "They were to attend the preparation of their fellows, "for w^ch^ generallie was appointed the rendezvous at "Plymouth; ſoe as this imploiment would have drawne "them to that place. Their countenance in the paſſage "would have diſpel'd thoſe pirates. Noe charge had "beene occaſion'd to the king: noe waſt of the proviſions, nor unreadineſſe in the ſhips, nor diſorder to the "ſervice: but rather an advantage given in all. Yet "nothing could be gotten, nor ſhip might be remov'd. "The trade and marchants were neglected. The coaſt "was left unguarded. The countrie ſtood expos'd. As "if, in expiation of ſome ſinne, it had been made a ſacrifice to thoſe monſters."

This was the condition of affairs when Eliot reached Plymouth; and hardly had he done ſo, when, from ſome of the principal weſtern traders, he received, in his character of vice-admiral, an urgent entreaty for help to protect their defenceleſs ſhores and ſea, ſuch as already he knew had been ſent without effect elſewhere. In

ordinary circumſtances his courſe would then have been to crave inſtructions from the lord-admiral or from the admiralty commiſſioners. Now, he applied to neither. Manifeſtly he had cloſed his intercourſe with Buckingham; and he tells us, in a curious paſſage of his memoir, why in ſuch circumſtances it would have been idle to make appeal to the commiſſioners.

They had become mere inſtruments in the lord-admiral's hands. Deſigned originally to check his miſdoings, they had degenerated into a cloak and cover for them. Eliot ſketches their decline and fall; and we find it to be an old ſtory, abundantly exemplified ſince, and very familiar to us. "Thoſe commiſſioners were the men, "that had the great buſineſs of that time. The whole "ſtrength and preparation being navall, they were the "maſters of it. Either for that particular then in hand, "or anie other ſervice and deſigne for the honor of "ſaftie of the kingdom, w^ch^ conſiſted in thoſe arks, "theyr judgments and diſcreations muſt diſpoſe it. They "were firſt inſtituted, in the creation of their office, under "the admiraltie of the E. of Nottingham; for a check "and ſuperintendance to the admirall, that the whole "kingdom ſhould ſtand not too much entruſted to one "man. But after, through the converſion of the times, "they became onlie ſubſervient to the admirall: his in-"ſtruments to negotiat his ends; and his objects againſt "envie. *Inani nomine*, as thoſe miniſters in Tacitus, "*alienæ culpæ prehendebantur*. They had a great power "in name, but little libertie to uſe it. Onlie they were "an apt diſguiſe and ſhadowe, and a common ffather for "all faults. I obſerve this the ſooner, to ſhew the "varietie of efforts w^ch^ may be emergent from one "cauſe; and how from the ſame roote and principle, "both good and ill derive themſelves. This office, in "the inſtitution, was w^th^ reaſon for the common good "and benefitt; to rectifie the actions of the admirall "(though laterallie it might have ſome obliquitie); but

" the execution of it after was ſoe preſtigious and cor-
" rupt, as nothing more dangerous and obnoxious. The
" admirall had w^th^ them a free command and libertie.
" Whatever he but intimated, they did; and if com-
" plainte ſucceeded it, the error was their owne."

Hopeleſs of a hearing in this quarter, with characteriſtic deciſion Eliot made direct appeal to the king; and the courſe and iſſue of the application ſhow ſtrikingly, apart from the illuſtration they afford of the now opening antagoniſm of Eliot and the duke, the manner in which public affairs were at preſent adminiſtered, and the impoſſibility of any man obtaining, ſo long as Buckingham and his paraſites ruled, any ſhare of that ſettled protection for property as well as perſon without which all government is impoſture. It will be beſt given in Eliot's exact words.

Deſcribing himſelf, in connection with the application made to him, as "a gentleman of thoſe parts to whom "it had relation by his office, being vice-admirall of "Devonſhire," he relates what it was that had cauſed the ſo ſudden application. "That there were fourtie "ſaile of Turks beſides thoſe w^ch^ formerlie kepte that "coaſt, then in one ffleet come w^th^in the channell: and "this warranted by the depoſition of the maſter, and "ſome others, of a ſmall barke that had paſt them in "the night. The vice-admirall reſolved to repreſent itt "to the king. The king reſenting trulie the danger of "his ſubjects, preſently recommends it to his councell, "commanding that gentleman to attend them. Who "meeting, and having the conſiderations laid before "them of the diſhonor to the king, the prejudice to the "countrie, the neceſſitie and facilitie of releife, for w^ch^ "ſome few good ſhips would ſerve; and thoſe, being "readie, importing noe charge unto the king, nor "hindrance to their ſervice; it was thereupon reſolv'd "*that eight ſhips for that purpoſe ſhould be ſent*, w^ch^, "having done that worke, ſhould await the reſt at

"Plimouth. This being ſettled by an order of the "board, was directed to the commiſſioners of the navie, "certified by letters to the countrie; wh^ch thereupon "conceav'd good hope and ſatisfaction, though the "ſequell did not anſwear itt." The only point left doubtful in this narrative is its mention of Eliot's having attended before the council. He may have done ſo on his return to reſume attendance in parliament; but for the preſent certainly he remained in the weſt.

Buckingham and his ever-ready inſtrument Sir John Cooke now enter again upon the ſcene. Of all the exiſting commiſſioners of the navy, Cooke was the moſt busy and influential. "The reſt were but cyphers to "him." To him the order of council was referred, and by him it was coolly laid aſide. It was never again heard of, until Cooke was queſtioned reſpecting it in the ſecond parliament.* It had ſufficed that Eliot was the intended inſtrument of the propoſed grace of the king. "The direc- "tion of his maj^tie, the reſolution of the lordes, the expec- "tation of the countrie," all counted for nothing before the will of Buckingham and the unreaſoning obedience of his ſervant. Very ſtrange and fearful it was thought, ſays Eliot, that ſuch could be; that any private grudge could intercept ſuch a promiſed boon; and that the public good, and the ſafety of the kingdom, lay at theſe riſks. "Enemies at home were more doubted upon this "than thoſe pirats and enemies abroad."

But while thus the vice-admiral, diſcarding thought of himſelf, revolved ſad thoughts of his country under a government of enemies at home, more ſtartling illuſtration of their treachery was in courſe of enactment abroad. He appears to have been one of the firſt to become acquainted with, and from him the commons at Oxford were earlieſt to aſcertain, the exiſtence of a deſign to

* It will be hereafter ſeen, from a note preſerved among Eliot's papers, that Sir John Cooke was taxed for his conduct in the matter, during the parliament of 1626.

lend Engliſh ſhips of war to France for ſervice againſt the proteſtants of Rochelle. The fact carried with it the heavieſt charge yet brought againſt the king and the favourite, of withholding ſtate-ſecrets from the council. That it was communicated primarily to Eliot as a popular ſpeaker in the commons, is more than probable; but that his official poſition as vice-admiral had alſo in a degree induced the diſcloſure, would ſeem to be implied by the reſerve and caution that marked his firſt alluſions to it. In his memoir he reſtricts himſelf to ſaying that the facts became known to him at this time; but from other ſources we know, now, who his informant was. Expreſſly he adds, however, that the conſignment of the ſhips, "ſeven great marchant ſhips, and the Vantgard of "the king's," with all their apparel and munition, was ſo abſolute and unreſerved, that the cardinal might have uſed them not merely (as he did) againſt the port of Rochelle, but againſt the port of London. The leading facts may be ſtated briefly.

In the unequal yet powerful ſtruggle which the huguenots were now maintaining, under the duke de Rohan and his brother the prince de Soubise, with the government of France under Richelieu, the free town of Rochelle had become their ſtronghold. Here, aſſiſted by Spain, in revenge for French help of the Netherlands, Soubise had obtained ſuch maritime ſucceſſes, that Richelieu, comparatively powerleſs on the ſea, bethought him of the clauſe in the marriage treaty* and claimed the eight Engliſh ſhips. Upon this, Buckingham and the king,

* See *ante*, p. 180. For notices of Rochelle, which give a lively impreſſion of the ſtrength and importance of the place, and of the aſpect of its people, ſee Howell's *Letters*, 46 and 108. "I do not find them," he ſays, "ſo gentle and debonair to ſtrangers, nor ſo hoſpitable as the reſt of France; "but I excuſe them for it, in regard it is commonly ſo with all republic and "hanſe towns, whereof this ſmells very rank." Thoſe ſturdy citizens made up the deficiency by nobler qualities, for more heroic endurance under unexampled ſuffering has never been diſplayed than that by which they vainly endeavoured to retain what was doubly endeared to them as the gift of the greateſt of French kings.

concealing their purpoſe from every member of the council,* preſſed ſeven firſt-rate merchantmen and ſent them to ſea under Captain Pennington, who had hoiſted his flag in the Vanguard ſhip of war. Neither Pennington nor the other captains knew at firſt their deſtination, but the rumour went that they were to be employed againſt Italy and the Valtoline; and to the merchant owners, who were eſpecially deceived and maltreated throughout, there was given an expreſs aſſurance that the ſhips were to act againſt Genoa as the ally of Spain.

Pennington with the ſmall fleet was ſtill waiting in the Downs, when, on the 8th of May, about the time which had been firſt named for the meeting of the parliament, he and the other captains received peremptory inſtructions under Buckingham's own hand, to place themſelves unreſtrictedly at the ſervice of the French ambaſſador.† He at once remonſtrated againſt the poſſible conſequences of such inſtructions; and ten days later Sir John Cooke wrote to him, by direction of Buckingham, to ſtate in diſtinct terms that the ſhips were not to be engaged in the civil wars of the French.‡ Tranquillised by this aſſurance, they ſailed; and though a little ſcandaliſed on arriving in Dieppe-roads, at a pretenſion ſtill made by the French ambaſſador "to "exerciſe power over the whole fleet in as ample manner "as the lord-admiral of France,"§ it was not until the 15th of June, three days before the parliament met at Weſtminſter, that Pennington diſcovered the deceit practiſed upon him, and that the preparations going on, in the very teeth of his inſtructions, were againſt Soubiſe and the Rochellois. On that day he wrote in urgent and piteous terms to the lord chamberlain, lord Pembroke, one of the great miniſters known to have no friendly diſpoſition

* See Whitelocke's *Memorials*, i. 3.
† (MS.) S. P. O. Buckingham to Pennington. 8th May, 1625.
‡ (MS.) S. P. O. Sir John Cooke to Pennington. 18th May, 1625.
§ (MS.) S. P. O. Pennington to Sir John Cooke. 27th May, 1625.

to Buckingham, imploring him to mediate with the king and ſave him.*

It was high time. Already had the men of the Vanguard, as well as of the other ſhips, on diſcovering their deſtination, refuſed to fight againſt their brother proteſtants. They ſigned a round robin, and placed it, where they knew it to be moſt ſure to catch their commander's eye, between the leaves of his bible. The brave and pious ſailor waited but a few days after receiving it, and then brought his ſhips back to the Engliſh coaſt. On the 29th of June he wrote, from the Neſs, to lord Pembroke, to announce his return; mentioning the fact that the admiral of France having continued to preſs his claims, his people of the Vanguard ſwore they would be hanged or thrown overboard before they would fight againſt Soubiſe. Theſe expreſſions, derived from either Pembroke or Pennington himſelf, were repeated in a letter written by Cooke to Conway on the 11th of July, the day of the adjournment of the houſes; † Conway having meanwhile, on the third and tenth of that month, written to inform Pennington (from Buckingham), that the command of the fleet was to be altogether the French king's, and (from the king) that, the diſpoſal of the ſhips being left to his dear brother the moſt chriſtian king, Pennington was, according to his majeſty's expreſs pleaſure, to obey entirely the command of the admiral of France. Five days later, Buckingham, not content with theſe written directions, ſent his ſecretary Nicholas in perſon to ſee the ſhips "abſolutely" delivered. Under this peremptory preſſure, and further deceived by a report buſily ſpread about the court, and which we

* (MS.) S. P. O. Pennington to the lord marſhal. 15th June, 1625. Seventeen hundred ſoldiers, he tells Pembroke, were to be put on board his ſhip.

† "Our ſeamen generally are moſt reſolute proteſtants, and will rather "be killed or thrown overboard than be forced to ſhed the blood of proteſt-"ants." All the letters cited in the text are from the originals (MS.) in the ſtate paper office.

ſhall find even repeated by a miniſter on the reaſſembling at Oxford, that there was to be peace between the king of France and the huguenots,* Pennington again ſailed for Dieppe-roads, whither he was followed by Nicholas in the Neptune, perſonally to witneſs the execution and performance of his majeſty's "expreſs pleaſure."

Again the pretences uſed were proved to be without foundation, and again upon his arrival Pennington remonſtrated. The facts, as I now recite them, are drawn from the papers of Nicholas depoſited in the record office, only lately acceſſible; and it is remarkable with what cloſeneſs, even to the moſt minute and important dates, they confirm the charges alleged in the ſeventh and eighth articles† of Buckingham's impeachment, and diſpose of every attempt made, either then or ſince, to ſcreen the miniſter and the king.‡ Their public profes-

* There is alſo proof in the ſtate paper office of his majeſty having ſent to his lord marſhal an aſſurance, doubtleſs with the intention that it ſhould be conveyed to Pennington, that "it is far from his wiſh that any "of his ſhips ſhould go againſt the proteſtants." Note by Edward Ingham indorſed by lord Pembroke, undated, but written in June 1625.

† See *State Trials*, ii. 1338–1350.

‡ Even apart from the proofs in the ſtate paper office, Lingard has quoted a letter of Buckingham's written from Paris ſhortly before the opening of the parliament at Weſtminſter, in which he ſtates that "the "peace with them of this religion depends upon the ſucceſs of the fleet "they (Richelieu) had from your majeſty and the Low Countries." And yet more deciſive is a paſſage from the ſecret inſtructions ſent by Charles to Buckingham when the latter was at Paris in the middle of October, two months after parliament was diſſolved at Oxford. "We conceive that the work "which was required to be done by them (the ſhips) being the ſuppreſſion "of Soubiſe, is accompliſhed." Mr. Diſraeli (*Commentaries*, i. 352–53) has attempted to explain that the "ſuppreſſion of Soubiſe" here meant "the "ſuppreſſion of Soubiſe's maritime force," which was intended by means of an expedition againſt Genoa; but while his fancy is enchanted by this imaginary expedition, he overlooks altogether the ſolid fact that on the 16th of the preceding September the Vanguard and the other ſhips, no longer manned by Engliſh crews, *had* "accompliſhed" their object by opening fire againſt Rochelle and mowing down the huguenots "like graſs." It would be hazardous to ſay of this too ingenious writer, that if he could have had acceſs to the letters cited in my text, he muſt have ſeen that his theory was a hopeleſs one; for it is juſt as probable that he might have clung to it more fondly. But to plain readers and reaſoners the facts are quite irreſiſtible.

ſions, put forth from time to time while the affair went on, that the ſhips would not be employed againſt the huguenots, were but a continuation of the ſcheme to get the fleet into a French harbour, of which the original falſe inſtructions to Pennington were the commencement; and the ſtatement made in the ſecond parliament by the duke, as well as in his ſubſequent manifeſto againſt the French, that Richelieu's intention was not known to himſelf and the king, and that they ſuppoſed Genoa ſtill to have been the deſtination, was but the natural and even neceſſary ſequel to a ſtatement by which he had already committed himſelf and miſled the parliament at Oxford. The ſimple facts cannot be impeached.

Before Pennington found himſelf the ſecond time entrapped, he had written direct to Buckingham. It was too difficult a buſineſs, he ſaid, for him to wade through; and therefore, while yet in the Downs, he implored his grace to recall him, and ſend out ſome other more able for it. He would rather, he adds, put his life at the king's mercy at home than go forward in the buſineſs. On the ſame day, the 18th of July, he had written alſo to Conway that he muſt leave the ſhips and return, for that he rather deſired to ſuffer in perſon than to ſuffer diſhonour. The anſwer to both letters was a peremptory refuſal of his prayer.* The duke marvelled that he, a captain, ſhould, upon the inſtant of his obedience required, aſk leave to withdraw! He was however to have no fear of the iſſue, for news of peace between the French king and his ſubjects was not far off. Upon this Pennington once more ſailed, followed by Nicholas; but he reached Dieppe-roads alone, for the merchant captains had refuſed to follow him.

The day after his arrival, ſending his boat to bring

* (MS.) S. P. O. Though Buckingham ſpeaks confidently in his reply of the proſpects of peace between the French king and the proteſtants, he is more than ever unyielding that D'Effiat, the French ambaſſador, is upon every point to be conciliated *and obeyed.*

Nicholas on board, he writes to tell him why it was that he had come out alone, and that even this he had not been able to do without "great trouble from his crew." The 21st and 22nd of July were occupied with negotiations through the ſecretary and the French ambaſſador; the reſult being that poor Pennington, convinced that the huguenots and the French king were as far as ever from agreement, is again obliged flatly to refuſe to deliver up the Vanguard. Come aboard to me, he writes to Nicholas on the 23rd, for my people are in a mighty mutiny, and ſwear they will carry me home by force! Again there is remonſtrance, a renewed attempt at negotiation, and again complete failure. On the 25th Pennington finally writes to Nicholas that he can ſend him no other anſwer than that formerly given. He was willing to do anything he might with ſafety of his life; but for delivering of the ſhip without expreſs warrant from the king, his company would not yield to it. He had read to them Nicholas's letter, and it put them in ſuch a rage that they ſwore nothing ſhould prevent their carrying away the ſhip for the Downs.* Nicholas did not at the moment think this ſerious. He could not, he ſays, bring himſelf to credit it. The intenſe religious feeling, the paſſionate proteſtant zeal, which now animated the common people of England, and never more ſtrikingly ſhown than in this incident, he was as little able to underſtand as the king and the miniſter whom he ſerved, and whoſe inſenſibility to it proved their ruin.

But the evening of the day undeceived him. He had then to write to Buckingham, after reporting the proceedings of the day before and that morning, that in the afternoon, while waiting on the French ambaſſador, there came news that the Vanguard was under ſail. He did not believe it. Going to ſee, however, he found it

* (MS.) S. P. O. Theſe various letters will be found under the dates reſpectively named.

true, which he would have ſworn was a thing impoſſible. The ſhip had left the roads about four or five o'clock, and amid very tempeſtuous weather too! What was he to do? The French ambaſſador was deeply troubled, and for himſelf he prayed he might not again be truſted with an employment ſo much above his abilities.

The ſcene changes to the Engliſh coaſt, and again Pennington makes manful and touching appeal. This time he writes to the king himſelf. He relates what had paſſed in the roads at Dieppe from the time of his arrival to that of his company's weighing anchor and returning to the Downs. They did it without acquainting him; but he adds frankly that of himſelf he knew it and had connived at it, otherwiſe they ſhould never have done it. He concludes by declaring that he would rather for the reſt of his days live on bread and water than be an actor in that buſineſs.* He writes ſimilarly to Conway. On this the old artifices were again employed. The lord chamberlain, Pembroke, was made to convey aſſurance to Pennington, and alſo to Sir Fernando Gorges and the other maſters of the merchantmen, that peace was really to be made with the proteſtants, and that war would be declared againſt Spain and Milan; wherefore they all were peremptorily, and without reply, to obey the directions given them. At the ſame time Buckingham wrote to tell Nicholas that he was to wait in the roads, for that the ſhips *would* be delivered up; and by a letter of the ſame date he told Pennington that there was then on its way to him an expreſs warrant from the king who was "extremely offended" with him, and whoſe orders, if he now deſired to make his peace, he muſt not fail punctually to obey. Finally, the royal warrant followed, formally requiring Pennington to put his ſhip the Vanguard, and all the other ſeven ſhips, with their equipage, artillery and ammunition, into the ſervice of

* (MS.) S. P. O. 27th July, 1625.

his dear brother the moſt chriſtian king; and, in caſe of backwardneſs or refuſal on the part of the crews, commanding him and the others to uſe all means poſſible to compel obedience, *even unto the ſinking of the ſhips*. "See you fail not," are the cloſing words of this deciſive document, "as you will anſwer to the contrarie at the "uttermoſt peril." *

Little more remains to be told. For the third time Pennington took his Vanguard into the French harbour; and with him went this time, with a deſperate reluctance, the ſeven merchant ſhips. One of the latter notwithſtanding, commanded by Sir Fernando Gorges, who became thereafter a marked object for Bagg's treacherous hoſtility, broke through and returned upon learning that the promiſed aſſurance of peace with the proteſtants was falſe, and that the deſtination of the fleet was no other than Rochelle. On the other hand, Pennington, for himſelf and the reſt, doggedly obeyed the letter of the king's warrant, and delivered up the ſhips and their ſtores, *without their crews*. Declaring for the laſt time that he would rather be hanged in England for diſobedience than fight himſelf, or ſee his ſeamen fight, againſt their brother proteſtants of France, he quietly looked on while the crews of all the ſhips deſerted;† left every ſhip, including his own, to be manned by Frenchmen; and came back to ſet himſelf right with his countrymen.

His firſt intention was to ſubmit in perſon to the two houſes of parliament his proteſt and defence; but

* (MS. at Port Eliot.) This, with the original inſtructions, and the proteſt ſubſequently made by Pennington, had been tranſmitted to Eliot at the time. According to Ruſhworth (i. 176), Pennington had actually to fire upon the merchant ſhips, to compel their compliance with the king's direction; but there is no evidence in ſupport of this ſtatement, though it was certainly current at the time, and is mentioned in *Walter Yonge's Diary*, 85.

† One Engliſhman alone remained, a gunner; afterwards ſhot in charging a cannon before Rochelle. Hume's dry remark on the incident is one of the moſt characteriſtic paſſages of his hiſtory. v. 67, 68.

he was baffled in this purpoſe by orders from Whitehall, and was actually kept away by means of agents employed by the court, until after the houſes were diſmiſſed.* Nevertheleſs, from his place of concealment, he appears to have managed to ſend a portion of his papers to Eliot. That vice-admiral was ſtill officially connected with Pennington's chief, the lord-admiral, and had not as yet taken any public part againſt him; but he was one of the moſt eloquent members of the commons, and he was a brother-Corniſhman and friend. The papers compriſed not only a copy of Pennington's proteſt, but the original directions by Buckingham, and the final warrant by the king; and they remain at Port Eliot to this day. If there had been any momentary wavering in the purpoſe with which, very ſhortly before receiving them, Eliot had again turned his face to the ſouth, they might well have ſufficed to determine it for ever. On the night of Sunday the 30th of July, Eliot arrived in Oxford, and before the 5th of Auguſt there is reaſon to conclude that theſe papers were in his poſſeſſion.

II. Reassembling: First and Second Days.

Eliot's threatened call of the houſe had produced its effect, and the attendance in the divinity ſchools, where the meeting had been appointed, on the morning of Monday the 1st of Auguſt, was very large. This was the morning on which we now know that his right reverence the lord keeper had once more warned the king that the duke would be brought upon the ſtage; and ſome hint of that purpoſe might probably have been read even upon

* "The ſaid Capt. Pennington returned ſpeedily into England, and took "his journey towards the city of Oxford, where the parliament was then "ſitting, by adjournment from Weſtminſter thither. . . .'. Before the "parliament was diſſolved, Capt. Pennington came to Oxford, but was there "drawn to conceal himſelf by means of the duke."—Impeachment of Buckingham: arts. vii. and viii.

the faces of honourable members as they took their ſeats. But the lord keeper was himſelf to be firſt brought upon the ſtage, a circumſtance he was not prepared for.*

Hardly had buſineſs begun when Sir Edward Giles earneſtly craved attention for a matter of ſerious moment. As he paſſed through Exeter on his way to that aſſembly, he found ſorrow and conſternation prevailing in the town. The authorities there, ſome little time before, had committed a jeſuit prieſt to priſon for aggravated defiance of the laws; but immediately after the late adjournment of the houſes a royal meſſenger had arrived from London with a pardon under the great ſeal, demanding inſtant liberation of the priſoner. Upon the mayor heſitating, and pointing out the contempt and inſolence that had accompanied the offence, he was threatened "with the authorities above," and made to comply. Sir Edward went on to ſay that he held in his hand a copy of the pardon, and that it was expreſſed in unuſual terms of latitude. It did not imply only a preſent pardon, but was in effect an indulgence for future offences. Beſides being a releaſe of the exiſting impriſonment, it was a ſuperſedeas to all officers who might hereafter impeach the man. Nor was this all. The clauſe invariably inſerted in ſuch pardons, and indeed neceſſary under the ſtatute, requiring ſureties for good behaviour before diſcharge, had been likewiſe omitted. Finally, ſaid Sir Edward, let the houſe obſerve the date of this pardon. And having reminded them of the ſpeech of

* At a later point in his narrative, Eliot, after deſcribing the reſiſtance made by Williams to Buckingham when the adjournment to Oxford was propoſed, refers to the effect which the ſubſequent hoſtility of the duke had upon the lord keeper's fortunes. "This being then diffus'd and credited "as 'twas truth, caſt noe ſmall prejudice both on his perſon and his acts: "that alsoe then begann to be fomented by thoſe oppoſites, who, for the "preſervation of themſelves, ſtudied his ſubverſion. Both could not ſtand "togeather; but they muſt doe or ſuffer; and the after-game is not pleaſant "in the court. Those therefore did infuse into the humour that was ſtir'd "what gall and vinegar they might; and by their privat inſtruments blow-"ing the coales then kindled, added alsoe more fewell to the fire."

the lord-keeper on the day of their adjournment, and of the ſolemn promiſe he then made in the king's name that the royal anſwer to the petition for religion ſhould be real and not verbal, and that the penal laws againſt recuſants ſhould not be relaxed, he held up the document, and pointing to the lord keeper's ſeal declared its date to be the 12th of July. On the day next following after that grave and ſerious promiſe, the very man through whoſe lips it iſſued had been made the inſtrument of its violation.

"An ill comment on a faire text," exclaims Eliot in his *Negotium*; "an unhappie performance of a royal "promiſs, *which likewiſe was the firſt!* Itt being in "favour of that order alſo wh^ch^ is moſt dangerous in "religion, and for a perſon as obnoxious as his order. "The whole houſe, upon the apprehenſion of theſe "things, aſſumed one face of ſorrowe. Wonder it "wrought in ſome, fear generallie in all. The confu-"ſion of their thoughts impos'd a ſilence on their "tongues: wh^ch^, having held awhile, thus at length it "brake."

The speaker who broke it was Eliot himſelf, and he has entered the ſpeech in his memoir in a form only ſlightly differing from that in which I have found it reported by himſelf among the MSS. of his other ſpeeches at Port Eliot. Its tone and purpoſe were in complete agreement with what we know now to have been his temper at the time, and with what we ſhall find him to have ſteadily preſcribed to himſelf for the future. Smarting from his recent experience of having ſeen the king's fair diſpoſition in the matter of the Turkiſh outrages overborne by the ſudden caprice of Buckingham, his object in the ſpeech now delivered is the ſame that was to direct him unalterably for the reſt of his public life. It was to fix the reſponſibility for ſuch violation of royal promiſes not upon the king but upon the miniſters of the king.

"Sir," he ſaid, "Seneca reports it of an emperor that "being preſſed to ſign his warrant for execution of a "man, he gave this form and elegy to his ſorrow, *Uti-* "*nam neſcirem literas!* He wiſhed he knew no letters "rather than employ them to ſuch ends. In the like "ſenſe, I may at this time aſſume the like expreſſion for "myſelf, *Utinam neſcirem loqui.* I would I could not "ſpeak, ſo there were not this occaſion. But having "this liberty of my mouth it behoves that I deal faith- "fully with my heart. The conſideration of religion, "the honour of the king, the ſervice of this place, re- "quire that I freely render what I do conceive upon this "caſe, and what I would deſire upon the judgment "of it.

"I cannot think that this pardon we have ſeen, iſſued "from the king; or, if it did, that he rightly under- "ſtood it. I cannot believe he gave his pardon to a "jeſuit, and that ſo ſoon upon his promiſe unto us. His "favour perchance was intended to the man, and the "man's guilt concealed by thoſe that did procure it. I "believe the guilt to lie with thoſe who ſecretly extended "to the order, ſo hateful and dangerous to true religion, "the mercy deſigned for the man. It is not ſeldom "among princes that ſuch things are drawn from them. "They cannot read every grant that paſſes them; and, "if their leiſure ſerved, yet ſometimes their confidence "would decline it. Though they are princes, they "leave not to be men. Hearts they have ſtill, and "affections like to others; and truſt will follow where "love has gone before." It became Eliot, in the cir- cumſtances, ſo to characteriſe the relations of the king and his friend; and to aſcribe to no unworthy motive a perſonal influence of which he knew himſelf the ſtrength and faſcination. But he would not therefore hold leſs ſharply accountable the miniſter of the king.

"Sir," he continued, "I do not doubt this pardon to "be ſome abuſe of miniſters, who prefer their own

"corruptions before religion or the king. They are "the ſame who have choſen for advancement divines "under the cenſure of this houſe. The time perhaps "is not now ſeaſonable to queſtion them; but yet I "would have the matter ſearched to know the ſecrets of "it. The lord keeper has been made the inſtrument. "Let the lord keeper be required to attend here, and be "examined by what warrant he did iſſue this pardon; "and that being known, let us ſee who procured it. "Much may be diſcovered in this little, and from an "evil cauſe ſome good effects may flow."

Some interruption occurred at this, to which Eliot replied. He repeated his belief that they might all profit by the ill which had been done. He held that the king, when he ſhould be more truly informed as to theſe matters, might recall his grant. "It has an example, Sir, with "the French, who in the like report it of ſaint Louis, "that when a murderer had petitioned him and received "a promiſe of his pardon, being then at his religious "exerciſes and devotions, upon coming to that in the "pſalms *Beatus eſt qui facit juſtitiam in omni tempore*, he "revoked his promiſe and conceſſion and cauſed the "malefactor to be executed. This to a private mur-"derer that pious prince did do. How much more, "then, may we hope it from our king upon this trai-"tor to the kingdom? Infinite is the diſproportion of "the offences; equal the piety of the princes. There-"fore what juſtice was done in that, I cannot doubt "in this; when our ſovereign ſhall rightly underſtand "it. And to that end my motion ſhall incline. Sir, "I conclude that we ſhould proceed forthwith to the "examination of the fact; and that being known, then "to repreſent it to his majeſty with our petition for ſome "help and redreſs in this particular: and for a general "prevention of the like." *

* MS. collections at Port Eliot. From the same collections, I ought to

But the courtiers (the "king's councill") too well knew what Eliot was driving at, and that to conſent to any ſuch examination would not bring only the lord keeper on the ſcene, but alſo Laud and Buckingham. Several of them roſe therefore, of whom the moſt prominent were Sir Thomas Edmundes, treaſurer of the houſehold, and the ſolicitor-general Heath, Buckingham's ſpecial advocate; "leſs," Eliot tells us in his memoir, "to make an extenuation or excuſe, than, as "ſome thought, to divert the inquiſition that was mov'd "for." They could not deny the fact of the pardon, or what it imported; but they deſcribed it as incident to the French marriage, and granted as a conceſſion to the ambaſſador extraordinary who had come over with the young queen. It being a particular caſe, the danger was not much; and they "alledg'd it as a cuſtom of king "James, at the departing of ambaſſadors, to make a "gratification of that kinde." Let the weſtern gentlemen reſolve their ſcruples as to this particular, then, into more hopeful expectations; for they might be aſſured that the anſwer which was coming to the petition for religion would in the general give ſatisfaction. The appeal was not ſucceſsful, Eliot adds; the debate went on; and the views he had himſelf expreſſed received unexpected ſupport from a grave and learned perſon, who then, though full of years and official experience, made his maiden ſpeech in parliament.

This was no other than Eliot's old acquaintance, Sir Henry Marten, returned as one of the members for St. Germans. Eliot had been concerned in returning him; and, doubtful as their relations once had been, he remembered now only the better qualities of the man ſo long connected with Buckingham, who at laſt, like himſelf, had broken off alliance with his chief rather than fail in alle-

have noted, were derived the ſpeeches *ante*, 162,163, and 166-72. All are now publiſhed for the firſt time.

giance to his country. "There was in that gentleman," he "ſays, great years, great knowledge, great experience, and "great abilities of nature to ſupport them. He was a "doctor of the laws, and had almoſt all the civill juris- "diction in his handes, being judge of the admiraltie, "judge of the prerogative, judge of the arches. In the "firſt he ſtoode as an officer to the duke; but the chiefe "dutie he profeſt was to juſtice and his countrie. This "was the firſt parliament he had ſerv'd in. This, al- "moſt his firſt entrance to the parliament. This, the "firſt triall of his ſervice. W^ch had ſuch a reward from "the court, as might have beene a diſcouragment to "ſome others; and was not without trouble unto him."

Some of that trouble will hereafter appear; and may help to explain how it was that this grave civilian's ſon, now a bright and joyous youth of two-and-twenty, was beginning his manhood with an utter diſtruſt of courts and kings, to end his life a regicide in the caſtle of Chepſtow. It would be no violent effort of fancy to ſuppoſe that this ſpeech of the old judge and courtier might have aſſiſted, with other conſequences ſtrange and unexpected to that official houſehold, in the growth and development of the moſt unflinching and reſolute of wits and republicans, Cromwell's well-beloved Harry Marten.

The ſpeech was ſtaunch and uncompromiſing. Sir Henry addreſſed himſelf almoſt wholly to the argument of the courtiers drawn from the practice of ambaſſadors. He denounced their intervention in ſuch caſes as one of the grievances of the time. He pointed out that no other ſtate admitted it, and aſked how it was, if the contrary were maintained, that even the preſence of their prince had not availed to releaſe one proteſtant in Spain. But in this, Marten added, we but ſhared the infelicity with which treaties were made, and embaſſies conducted. It was not always so. In former times, when old ambaſſadors of wiſdom and experience were employed, our treaties had not been unſucceſsful. Now they were

become a byeword. It was common in the mouths of Frenchmen, that we could fight but could not treat; and that what our dexterity gained in the one, our clumsiness lost in the other. "He concluded in the generall, that "ther might be sought alsoe a remedie for this."

What gave bitterness to this speech, Eliot remarks, was its personal significance. Though no one had been named, it was well known who were aimed at. "The "ambassadors w^ch^ had treated with the French, then, for "the marriage of the queene, being the duke, the earl "of Holland, and the earl of Carlile. The first two, "young and gamesome; fitter for sportes than businesse:* "the other soe ceremonious and affected, that his judg- "ment and realitie were in doubt; and his aptness con- "ceav'd more to have beene *deliciarum arbiter*, as Pe- "tronius, than *arbiter regni* or *negotii regis*, as Pallas "under Nero. Those did take that note of old ambas- "sadors to have a contrarie reflection upon themselves, "w^ch^ without doubt was signified; and for this they were "incensed againste him, whereof he had not long after a "full taste."

Meanwhile the sympathy of the house for the present supported him. What he said met with good approbation and acceptance, says Eliot, because "it did speake "that truth w^ch^ was written in each hart: and, the gene- "rall being laid up for some other opportunitie, the par- "ticular was resolv'd on to be followed by a petition to

* Holland is said to have been the only man in the court, not of his own kindred, whom Buckingham trusted or cared for; and the choice was characteristic, for Holland managed to make himself conspicuous, even in that court, as much by duplicity as by frivolity of nature. The character of Buckingham himself, so lightly thrown out in this passage, by one who knew him so well as Eliot did, is curious; but in the main it is doubtless true. All his life he was young and gamesome, most fit for sports, and fascinating where he liked; but a statesman he never was, and to the last there was probably as much of the thoughtlessness of the child sporting with what should never have been intrusted to it, as of any matured and deliberate purpose, in his most mischievous actions. But their evil results and consequences were not less terrible.

"the king, and a committee to that end appointed to "prepare it."

So cloſed the firſt day of the reaſſembling; but yet graver warnings of what the favourite had to expect broke forth upon the ſecond day. Immediately on their aſſembling "after the firſt reading of ſome bills, as "the uſuall manner is, before the houſe be full, for en-"tertaynement of the morning," Sir Edward Coke introduced the ſubject of Richard Montagu. All knew it to be unavoidable, but ſome had ſtrongly wiſhed it kept back to a later time of the ſeſſion. But, beſides what was known of the man's appointment as a king's chaplain immediately after the proceedings againſt him in the laſt ſitting, that very morning it was known that Laud, acting with Buckingham's ſanction, had addreſſed to the favourite, and through the favourite to the king, a letter ſubſcribed by himſelf and the biſhops of Rochester and Oxford, characteriſing the opinions oppoſed to Montagu as "fatal," calling his doctrine the ſettled doctrine of the church and that alone which was compatible with civil government, proteſting againſt ſubmitting it to any ſecular tribunal, and deſcribing the man himſelf as every way able to do great ſervice to God, his majeſty, and the church of England.* It was notorious alſo, that ſince his cenſure, and the reward of a royal chaplaincy that followed it, the king and his miniſter had given him other proofs of favour; † and everything ſo

* See Heylin's *Cypr. Angl.* 131-2. I ſhall hereafter have to refer to the claim ſet up in this letter that the king and biſhops in convocation alone were the judges of any doctrinal diſpute in the church of England, and excluſively empowered to decide thereon.

† There is a letter from Montagu to Buckingham in the Harleian MSS. 7000 (106) dated two days before the ſitting at Oxford, gratefully acknowledging his and the king's interference for him, but ſtating that the latter had not yet entirely freed him from the control of parliament. He was indeed free from impriſonment, but the commons had not anſwered his majeſty on other points. He beſeeches Buckingham, therefore, for ſuch further preſſure as may obtain immediately his abſolute diſcharge and redelivery of his bond extorted by the commons.

plainly declared the determination of the court to identify with the ſcandal of this man's opinions the future government of the Engliſh church, that if the commons had heſitated to accept the challenge they would have contradicted and diſhonoured their traditions.

Coke, after pointing out the falſity of Montagu's views in government and religion, and remarking that he had never read a more dangerous book, moved that the writer be brought to the bar. "Send the ſerjeant "for him," cried Philips, ſpeaking yet more ſtrongly. The ſerjeant hereupon being called, declared that Montagu, though releaſed from impriſonment by his majeſty's order upon his appointment as a royal chaplain, had not been releaſed from the bond or ſureties impoſed by the houſe. But he was ſuffering from ſickneſs; and had that morning, by a letter, announced himſelf as too weak to be able to travel. Alford, Strode, and Seymour replied vehemently to this that it was a mere pretence to avoid their juſt diſpleaſure, and Seymour propoſed at once to ſend for the man by one of their meſſengers. This called up the ſolicitor-general Heath, who ſaid he had it in charge from the king to acquaint the houſe that Montagu was one of his chaplains in ordinary, that his majeſty had taken into his own care the cauſe relating to him, and that his anſwer to their petition for religion would ſatisfy the houſe reſpecting it. Would it not be well, then, Mr. Solicitor continued, to draw up a meſſage to the king commending the matter more ſpecially to his deciſion, and importuning him for that remedy therein which he doubted not would be granted to the full ſatisfaction of their hearts; much trouble thus being ſaved, and yet the work accompliſhed?

Eliot roſe after Heath. He regarded what had been ſaid as rather for diverſion than advice; and much leſs a ſafe retreat or iſſue to the difficulty they were in, than a way conducing to new prejudice and danger. Aſſu-

rances of ſatisfaction were only words, and the ſatisfaction could not be much when deeds contradicted them. It was true doubtleſs that this divine was now king's chaplain, but let them remember at what time he was made ſo. He was a ſtranger to the court until that houſe had objected to him. Their cenſure had been promotion to him, and they ſhould thereby take warning. He diſliked the counſel of going by meſſage or petition. It was unparliamentary and unſafe. The other courſe was juridical, and *more majorum.* He offered inſtances in ſupport of his view that to their houſe courſes extrajudicial had ſeldom been fortunate or auſpicious.* But the moſt dangerous of Mr. Solicitor's arguments he held to be the claim of exemption from puniſhment for this divine on the ground of his being the king's chaplain. Why, that being granted, all juſtices and deputy-lieutenants in the counties might have the like privilege and protection. Nay, the ſolicitor muſt go farther ſtill. It was impoſſible that any man could commit a public crime or injury but by colour of ſome employment from the king. And ſo, all being made his ſervants, as that was then required, all, by the ſame reaſon, ſhould be free from the juriſdiction of parliament. And what parliaments would be then, and what the country by ſuch parliaments, he offered to the conſideration of the houſe, "with a ſtrong caution in "that point to be carefull for Poſteritie."

Be careful for poſterity. Forget not the men who are to come after you. Look out of the narrow ſtrip of time in which you ſtand, and be mindful ever of what lies beyond it. This is ſtill the thought of Eliot—*negotium poſterorum.* He ſpeaks for it; he writes for it;

* Among them "the like remiſſion to king James of the cauſes of Ire-"land and Virginia, 18° of his raigne; and that of S^r Symon Harvey 21°." Sir Simon Harvey was one of the clerks of the green cloth, and purveyor to the king's houſehold; cenſured in James's laſt parliament for "many "offences to the ſubject."

and is ready when the time arrives, not merely to yield up life for it, but to make the more difficult ſacrifice of everything that renders life worth having.

Wentworth of Oxford, Sir Gilbert Gerrard, and others took up the ſame argument; with the farther comment from Mr. Wentworth, that ſuch notice of their acts by his majeſty as the ſolicitor general had pretended, before thoſe acts were made public and repreſented by the houſe, was of very ill precedent. Neither for encouragement nor warning was it expedient or endurable. The example of all times warranted their intentions, and all qualities of men had been ſubject to their queſtions. In the fiftieth year of that great prince, the third Edward, the duke of Gaunt and the lord Latimer were there impeached for giving ill counſel to the king; and no dukedom or greatneſs could exempt them from the jurisdiction of that court. The right was ſtill the ſame. Many then preſent remembered, in the twelfth of James, the caſe of Sir Thomas Parry, for whom, being a councillor of ſtate, the king had by like meſſage interpoſed; but the privilege of the houſe governed then, and the caſe went to judgment and ſentence. Nor was it likely that thoſe who had taken part in more recent proceedings againſt a lord chancellor and a lord treaſurer, would agree now to exempt a chaplain or other ſervant of the king's. Eliot remarks that there was unuſual agitation among the members during theſe alluſions, for that what was intended was plainly ſeen, and the duke was in the minds of all.

The reſult was a determination to proceed againſt Montagu, notwithſtanding the king's expreſſed wiſh; and Coke's original motion to ſend for him was revived. Eliot then interpoſed an objection of form. Suggeſting that the former order of committal ſhould be read, he pointed out that they could not ſend for a man in the cuſtody of their ſerjeant as if he were out of priſon, but that a time muſt be given to the ſerjeant; and the ſer-

jeant accordingly was "commanded to produce him, or "at his perill to anſwear the neglect." The very pregnant remark with which Eliot then cloſes the caſe, by anticipation diſpoſes of the ridicule with which Hume and others have attempted to connect it.* The fanatical grounds alleged for the purſuit of Montagu had been formally diſavowed at the time. If the members now at Oxford were enthuſiaſts for religion, it is the proof that they were also ſtateſmen; and it was the continued foolhardy reſiſtance to their wiſe warnings and juſt demands that raiſed up the other claſs of men and of opinions againſt which not churchmen only, but the church itſelf, proved powerleſs and were ſtruck down. "Some in this diſpute had fallied upon "the conſideration of his booke, and therein tooke "occaſion to argue his opinions; deſcending into the "subtilties of the schoolmen about the infallibilite of "grace, the antecedent and conſequent wills of God; "but their zeale being more commended than their "judgmente, those doctrinall points were wav'd, as not "proper ſubjects for that place; and the diſpute was "carried onlie upon the conſideration of his perſon."

The diſpute was in other words only to notify to the favourite and the king, that their continued patronage of this man and his abettors would identify them with his opinions; and that parliament were prepared to reſiſt to the laſt ſuch government and adminiſtration of the Engliſh church. Eliot ſays that already this was perfectly underſtood; that the church had begun to divide itſelf into parties accordingly; and that the ill effect upon the Oxford

* Take the following paſſages: "They attacked Montagu, one of the "king's chaplains, on account of *a moderate book* which he had latterly "publiſhed, and which, to their great diſguſt, *ſaved virtuous catholics, as "well as other Chriſtians, from eternal torments.*" "Some men of the "greateſt parts and moſt extenſive knowledge that the nation at this time "produced, *could not enjoy any peace of mind becauſe* obliged to hear prayers "offered up to the Divinity by a prieſt covered with a white linen veſtment." *Hume*, v. 63.

churchmen of the favour extended to Montagu offenſively diſplayed itſelf in the ſelection of that one of their heads of houſes who had moſt publicly avowed his ſympathy with Montagu's opinions, Doctor Arican, to preach before the two houſes at the appointed faſt on the day following the Montagu debate. The commons treated this as an affront to parliament, and ſent the two members for the univerſity to expoſtulate with the vice-chancellor. That dignitary remonſtrated with the divine choſen, and on his refuſal to deſiſt called together the delegates, by whom, not without great difficulty, he was diſcharged, and another named in his ſtead. "This," ſays Eliot, "ſhowed likewiſe the ſpirit of that partie which ſtudied "an innovation in the church, and was taken for an "indication of more danger. It was a new bouldneſs, "and thought improper for ſuch men; ſchollers and "churchmen being not alwaies found ſoe confident. Still "it increaſ't the feare; and, with that, the jeloſie grew "more hott; w^ch^ then appear'd in ſparks, and after "flam'd more cleerlie."

What farther was done upon the ſecond day's ſitting tended ſtill in the ſame direction. The next was to be the faſt day; appointed by the houſe before adjournment with a grave ſenſe of the dangers that ſurrounded them; and a number of complaints preferred by members from their reſpective counties, ſhowed that even in the preparations for this ſolemn act of humiliation, church partiſanſhip had diſplayed itſelf. Laud had now the power to oppoſe whatever Abbott ſanctioned, and he carried with him a majority of the biſhops againſt the primate's authority.* The archbiſhop's orders for the faſt had been only partially carried out; and the printed papers of inſtructions had not been tranſmitted to each pariſh

* Abbott himſelf now ſaid of him bitterly: "This man is the only "inward counſellor with Buckingham, ſitting with him ſometimes privately "whole hours, and feeding his humour with malice and ſpite."—Narrative in *Ruſhworth*, i. 440.

according to the direction of the houſes. The hardſhip thus occaſioned throughout the kingdom was ſhown by Eliot from what had happened in his own county. The common people at Plymouth had been obliged to pay as much as half a crown and three ſhillings for engroſſed copies of what they ſhould freely have received in print.* This was now too late for remedy, but it increaſed the gloom and diſſatisfaction that prevailed; and even the manner in which the ſacred ceremonial was held upon the morrow, in that choſen place and ſtronghold of the church, was not ſatisfactory or ſuited to a time when ſo much need prevailed for religious obſervance and devotion. "The outward pietie," says Eliot, "seem'd great; "and manie, doubtleſs, had it trulie in their harts. Yet "ſome inſinceritie was ſuſpected, wher the practice and "profeſſions did not meete: that holineſs being dis- "truſted w^ch^ has not righteouſneſs to accompanie it."

Thus opened the Oxford ſitting of Charles's firſt parliament. The king could not read the ſigns of the times, or the temper of his people; and Buckingham, to whom they were better known, believed he had ſufficient ſtrength to diſregard them. Charles was thus carried unconſciouſly to the open rupture which his miniſter had invited and planned. On the very day when the commons were debating Montagu's opinions as not compatible with civil government, the king was giving adheſion to Laud's letter, written to Buckingham at his own inſtance, and declaring it impoſſible to conceive how civil government was to be ſupported if the contrary of Montagu's doctrines were maintained. And ſo, cloſing up their ſenſes againſt every warning of danger, blindly they went on to what awaited them. At each ſucceſſive ſtep in the fatal journey, this man Montagu will again and again appear. Buckingham will ſucceed in breaking this parliament, only to make its

* See alſo *Commons' Journals*, i. 810, Auguſt 2.

ſucceſſor more formidable. Laud will attract power to himſelf and honour to Montagu, until, himſelf archbiſhop and Montagu receiving conſecration at his hands, there will burſt upon them both, at that ſupreme hour of their triumph, the news of Buckingham's violent death amid the ill-concealed rejoicing of the people. But no uneaſy viſions diſturb the preſent proſpect: Laud and his patron have a common object at preſent in breaking with the parliament, a ſection of the council who had reſiſted have been frightened or cajoled into acquieſcence, and the king is their unreſiſting inſtrument. He has ſent word to the houſes that he will meet them on Thurſday morning in Chriſtchurch hall, and will there tell them all he expects from them.

Before we meet them there it may not unuſefully ſhow how hiſtory is ſometimes treated, if, reverting to the firſt day's incident of the jeſuit pardon, I enable the reader to compare that authentic relation with the falſe colouring and exaggerated form given to it by writers who have ſought to build upon it another charge againſt Eliot's honour.

Only one pardon was in queſtion, as has been ſeen; and of this the circumſtances had eſpecially commended it to the notice of the weſtern members. Giles called attention to it; Marten and others ſpoke upon it; and Eliot's ſpeech, which propoſed directly to fix reſponſibility for the act upon the miniſters rather than the king, was doubtleſs levelled indirectly at Laud and Buckingham.

We have now to obſerve how the ſtory gets itſelf told. Hacket, Williams's biographer, writes of the firſt day's ſitting at Oxford: "The ſpeaker had no ſooner taken "his chair but a weſtern knight enlarges the ſenſe of his "ſorrow that he had ſeen a pardon for ſix prieſts bear-"ing teſt July 12; whereas but the day before it, when

"they were to part from Weſtminſter, the lord keeper "had promiſed them in the king's name before them all "that the rigour againſt the prieſts ſhould not be de- "luded." In due courſe this is copied into the hiſtory by Oldmixon, who, after giving it correctly enough, ſupplies a name to Hacket's blank and makes the weſtern knight Sir Robert Philips of Somerſetſhire.* Then followed the huge hiſtory-book by Echard the archdeacon, who, eager for anything that could be made to tell againſt Eliot, not only in copying it converted the weſtern knight into Sir John, but blundering over ſome preceding words by Hacket to the effect that "it "was my lord Buckingham's hardſhip to move the "king to command the warrant to be ſealed in his ſight "at Hampton-court," and confounding this with the king's reported promiſe in preſence of them all, finally tagged to it the ſtatement as if made by Eliot, that the pardon to the ſix jeſuits had been ſigned by the king under preſſure by the duke in Sir John Eliot's preſence at Hampton-court.†

In that form the paragraph reached Mr. D'Iſraeli. It was bad enough. Eliot had ſimply reminded the houſe of the power of the king's miniſter, covering the king's reſponſibility by Buckingham's; whereas Echard made him charge the duke with having forced the king, in his preſence at Hampton-court, to ſign the pardon. This was a ſufficient perverſion of the truth to have been allowed to ſtand without addition.

But there is no blunder ſo great that Mr. D'Iſraeli will not make fertile and fruitful by ingenious ſuggeſtion and philoſophical induction. Here was tempting illuſtration for his favourite theme, and thus he improves it.

"That Sir John Eliot was *well known to the king*, and "*often in the royal circle*, appears by *Sir John's complaint*

* Oldmixon's *Hiſtory*, 78. Ed. 1730.
† Echard's *Hiſtory*, 422.

"in the parliament at Oxford in 1625, of ſix Romiſh "prieſts being lately pardoned, which the duke had pre- "vailed upon the king to be done *in his preſence* at "Hampton-court. Eliot, like Sir Dudley Digges, *was* "*in fact a great ſervant of the duke.*"*

And in this way, too often, materials are ſupplied for hiſtory and hiſtorians.

III. In Christchurch Hall, and the Morning after.

At nine o'clock on the morning of Thurſday the 4th of Auguſt, the two houſes, the commons having firſt aſſembled in the divinity ſchools, met the king in the old hall of Chriſtchurch. This was to be the firſt ſcene of what no man ſo well as Eliot knew to be only an elaborate comedy got up by Buckingham, and in which even a ſection of the miniſters themſelves were to be but half-conſenting partly-conſcious actors.

Charles ſpoke briefly, as his cuſtom was; and not graciouſly. He referred to the preparations in hand and the neceſſity of the work, as a thing admitted; though well aware that what was known out of his own council was the magnitude of preparation only, and of its deſtination nothing at all. He told them that in his judgment it were better that half the ſhips ſhould periſh in now ſetting forth, than that all the preparations made ſhould be loſt by their not going forth at all. But this

* *Commentaries*, ii. 272. This is one of thoſe paſſages, I ought to remark, which Mr. D'Iſraeli, after the publication of my firſt ſketch of Eliot, ſilently withdrew from his book. It does not appear in the edition of 1851 referred to in a previous page (131.) But, as neither in this nor in the other inſtances where he has been compelled to withdraw ſpecial charges, has he frankly ſtated that he had done ſo, or permitted the fact of his having been miſled in thoſe ſpecial inſtances to modify the view which he had built upon them, and to which he continues to adhere, of Eliot's ſubſerviency to Buckingham, I have thought it right to comment in the text as I have done, by way of protection from any poſſible reproduction of the calumnies either from Mr. D'Iſraeli's firſt edition or from thoſe older authorities which led him into error.

he left to their opinion; again urging ("in his manner," interpoſes Eliot) the expenſe which had been incurred, and that without a farther aid there was an impoſſibility to proceed. Then he alluded to their gift of two ſubſidies at the previous ſitting, "and his acceptance but not "ſatisfaction in that pointe." And next he ſpoke of the time, how dangerous it was; ſtating for himſelf that he knew not the diſorder had already broken out when the adjournment to Oxford was ſuggeſted; and putting it to them "whether they ſhould hould greater, the fear of "ſickneſs to themſelves or the diſhonor of their nation." His cloſing remark had reference to the promiſed anſwer to their petition for religion. Within two days they ſhould have it. Eliot drily adds that this was offered "as a cordiall and reſtaurative which was to ſweeten the "operation of the reſte."

To the king ſucceeded the ſecretary of ſtate, Lord Conway. He had received his inſtructions from Buckingham, and he alſo ſpoke briefly. The parliament, he ſaid, in counſelling the rupture of the treaties had occaſioned the war, in which now conſiſted the honour of the kingdom, the ſafety of religion, and the general good of chriſtendom. If anything ſhould obſtruct the preparations on foot, the Germans would divide, the French disband and reunite with the catholics, and the king of Denmark would retire to make his peace with the emperor. What was wanted, then? He reckoned the particulars of outlay, and made what Eliot calls "an immenſe calcula-"tion of the treaſures exhauſted," with this ſtartling reſult, "that ther wanted onlie ſome thirtie or fortie thouſand "pounds to doe the worke." Therefore had the king reſorted to his ſubjects to crave the help which his anceſtors in like caſes had received.

Greatly to the ſurpriſe of the country leaders of the commons, as ſoon as Lord Conway reſumed his ſeat, Sir John Cooke left his. "A member of the com-"mons," exclaims Eliot, "as yett no publick miniſter

" of the ſtate, was, without leave from them, and that " never done by anie man before, in their preſence made " a dictator for the king!" With amazement they ſaw Cooke go up to where his majeſty and the duke ſat, and " after ſome formalitie of ſeeming to take inſtructions, " at the preſent, in that which he had ſtudied long " before," come back and prepare to addreſs them. He had " the honor in the face of that aſſemblie," adds Eliot with a grim ſort of humour, " to be cal'd upp pri- " vatlie to the State, and from thence returning, as from an " Oracle inſpired w^th^ a new ſpirit and wiſdome, he pro- " pounded the ſacred reaſons he had gathered." And ſtartling as the preparation was, the reaſons gathered were not leſs ſo.

His beginning was at the end of the Spaniſh treaties, " wherein he ſhow'd that the late king at the inſtance of " the parliament, by the co-operation of his majeſty that " now was and the duke of Buckingham (*giving them* " *that conjunction*), was drawne to breake with Spaine." Avoiding then the plain fact that the cauſe of all the blundering that enſued was the old king's reluctance to keep the path into which he had been driven, the orator gave very grand reaſons for very ſilly actions. " In " reſpecte of the qualitie of his people, through a long " peace and quiet become unapt for warre, at leaſt in much " want of art and preparation, he prudentlie diſſembled " his intentions for awhile, and ſuffer'd himſelfe to be " entertain'd with mediations and entreaties, and new " propoſitions to be made him, untill by degrees he " came to that w^ch^ he intended." In other words, having work of preſſing urgency to do, he did not do it or attempt it until too late.*

* " Sir Richard Weſton, Sir Edward Conway, my lord Carlile, Sir " Arthur Chicheſter, and the Lord Digby have all been employ'd in quality " of ambaſſadors in leſs than two years."—Howell's *Letters*, 105. If he had named all the leſſer luminaries of James's diplomacy he might have added a dozen more.

After ſimilar faſhion the orator proceeded to handle other delicate ſubjects. There was the French marriage, ſo encumbered with conditions as already to have become extremely adverſe to the feelings of the people; but Sir John Cooke was ready to explain that their crowned Solomon had "in France ſeene all thinges in "combuſtion, and the king ther inclininge to ſheathe "his ſword in the bowells of his ſubjects rather than to "turne it againſt others," and therefore, "to make the "more ſtrickt conjunction with the French, he ſought "their alliance for his ſonne, and by that match to make "the bond inviolable between them." So, in regard of the unfortunate affair of Mansfeldt. The ſagacious old monarch had obſerved the Low Countries to be "in "greate danger and neceſſitie, by the potencie of their "adverſaries and the faction of the Arminians, w^ch^ "begann to make an interruption in their government "and threatned them in more," and therefore, "weigh-"ing thoſe things, for an encouragement to the ſtates, "he lent them ſix thouſand men, and pay'd for their "entertaynment for two years;" which led on to the league between the Low Countries, France, Savoy, Venice, and himſelf, for the raiſing of the army to ſerve under Mansfeldt. And though he might admit, with worthy gentlemen who formerly had ſpoken, that it had not anſwered the expectation at the full, "yet it had pro-"duc'd ſome fruites worthie of that deſigne: as the put-"ting off of the Dyett in Germanie favorable to the catholic "powers; the encouragement of the proteſtant princes; "the comming of the king of Denmarke into the field; "the attempts of the French upon Milan; the reconci-"liation of the French proteſtants to their king; and the "ſcattering of the enemies' forces in the Low Countries." This recital, Eliot adds, was new to the houſe, and not a little aſtoniſhed thoſe who ſo lately, at Weſtminſter, had liſtened to the ſame ſpeaker on the ſame theme. He does not, however, think any other remark neceſſary

than that "it was thought to be more ſtudied, not more "true; nothing either of intelligence or fact having "happened in that time, to give itt other colour than "his fancie."

Having thus celebrated the wiſdom of king James, the orator deſcended from theſe altitudes to deſcribe the poſition of king Charles. Of all that had been ſo ſettled "in preparation or in act" by his late majeſty, he had now to inform them that the full "fruite thereof "is yet ſhadow'd under hope, but that his preſent "ma^tie is not willing to deſert it. Being the effect "of the councill given by parliament, by parliament he "deſir'd to follow and accompliſh itt." But it required a greater charge than his treaſure would ſupply. The fleet was now upon the ſeas, going towards the rendezvous at Plymouth. Ten thouſand landſmen were on board, for the action which had ſo great an expectation in the world (and of which, Eliot is always careful to note, the houſe had been allowed to know nothing). Yet there wanted ſome money to ſupply them; ſome neceſſaries for the ſhips, ſome proviſions for the men. Would they, by refuſing theſe, leave both men and ſhips unſerviceable? It was the firſt fruits of their warfare, the *primitiæ* of their king. Not merely upon formality, or occaſion of the acceſſion to the crown, had they been called together, but ſpecially for the conſultation of this buſineſs; to which the hope of his majeſty's allies, the honour of his kingdom, and the intereſts of religion were engaged. He might further add that his majeſty had received intelligence of a deſign to trouble Ireland, in connection with a large increaſe of the enemy's navy in the Low Countries for the purpoſe of thruſting over part of their armies into England. And this being ſo, he left it "*wholie to their choiſe* "whether, by ballancing the occaſions, they ſhould "thinke fitter, upon the conſideration of the time, *to let* "*the action fall, or to give him more releiſe.*"

This concluſion, ſays Eliot, aſtoniſhed not only thoſe who were not in the ſecrets of the council, but ſome that ſuppoſed themſelves more knowing. "It was judged ſo little anſwerable to the premiſes that few men who heard it underſtood it. Here was a work upon which, as alleged, immenſe treaſure had been ſpent; as to which the preparation had been infinite, as the neceſſity was ſaid to be urgent; which was now advanced to ſuch forwardneſs that it wanted but forty thouſand pounds to complete it; and with the ſucceſs of which, as pretended, the honour of the kingdom and the intereſts of religion were bound up. Yet were they told now that they might defer it, or proceed with it, according to their choice; and, whether they aſſented or refuſed, that was to be their ſole buſineſs. Ignorant of the favourite's real object, ſays Eliot, various opinions were formed thereon. The more charitable believed, that, the opportunity for the ſpecial ſervice firſt intended having been loſt, the original deſign really no longer exiſted. The more jealous and diſtruſtful ſuſpected that a ſecret reconciliation had been made with the enemy. The only thing generally credited, as the members in diſcuſſion with each other returned to the divinity schools from Chriſtchurch hall, was that the ſcheme, whatever that might be, for which the preparation had been ſet on foot, was about to be abandoned. The falſe poſition in which the members of the council not wholly wedded to Buckingham thus found themſelves placed, had, it will ſhortly be ſeen, important and unexpected reſults.

"All believ'd," ſays Eliot, "the preparation would "be left, nor ſhips nor men be drawne further in the "imploiment; that the ſtudie was how to impute itt to "the parliament, ſo that either their counſell or deniall "ſhould be an occaſion to diſſolve it; and that ſome "color onlie was ſought for the ſatisfaction of the "world, that, whatever did occurr, a cauſe might be in "readineſſe, and, if the reaſon pres't it, a faire excuſe "at hand."

To Eliot himſelf, as we have ſeen, it was ſecretly known that only a portion of this was true. The duke had merely overacted, through his inſtruments, the part which in ſubſtance he had confeſſed to Eliot his intention to play. His object was to get rid of the commons for that time; and it had been eaſy to draw the king into it, apart from the influence he had exerted over him all his life, by alarm for their treatment of Montagu, their attitude as to religion, their claim for redreſs of grievances, and their attacks on great officers of ſtate. But the ſpeeches of Conway and Cooke in Chriſt-church hall had ſo ſtated the caſe as to involve equally in Buckingham's deſign every member of the council. They had taken it too excluſively for granted that the commons had a predetermined purpoſe to oppoſe whatever was ſubmitted, and in their eagerneſs to ſtrengthen Buckingham's caſe againſt the commons had in far greater proportion weakened the caſe of the king. The leſs we aſk for, Buckingham had reaſoned, the worſe for them to refuſe. The more indifferent we ſeem to either iſſue, the more overbearing they will be for their own. Give them ſimply the alternative of compliance with what we aſk, or of refuſing and ſeparating. So ſhall we break with them, yet not appear to have deſired it; and be juſtified in proceeding by other ways for the ſervice of the ſtate. This had been his argument to the king; but it was not one that the lord-keeper, or even Sir Humphrey May and the few members of the council who followed him, were at all prepared to adopt in its conſequences.

The miſtake committed in this reſpect had become obvious by the time the commons returned to their chamber.[1] The ſmallneſs of the ſum aſked for was ſpoken of as a "miracle." They diſcuſſed the ſudden and extraordinary change of counſel ſince the ſame arguments they had juſt heard were employed to juſtify a demand for ſix times the amount. Why were they

brought together at ſuch inconvenience, and in a time of so much danger, if this was all the buſineſs to be dispatched, and if redreſs of the ſubjects' grievances was to be deferred indefinitely? The proceeding would have ſeemed incredible, were it not that the privy councillors and their mouthpiece ſpoke in the preſence of the king. Eliot adds that a remark to this effect eſcaped from one of the gentlemen of his county. It was immediately ſilenced; "but that parallel and conjuncture of co-opera-"tion w^th^ the king was not, though ſilenc't, yet for-"gotten."

Two reſolutions were paſſed before the commons ſeparated that afternoon. One, that the matters of which they had heard in the morning ſhould be diſcuſſed at nine o'clock next day; and the other, that no one was to depart on pain of cenſure. No debate was permitted upon either. "The remayne of that day was reſerv'd "for meditation."

The ſeats were crowded on the following morning, Friday the 8th of Auguſt, and the debate, which proved to be a ſtirring one, was opened by the member for Oxford, Mr. Whiſtler. He was for a conference with the lords. He declared he ſaw no other way out of the difficulty. His deſire had been to continue their ſitting and to give, until he heard the worthy member (Cooke). But, the king having left it indifferently to their choice, "ballancing the importance of his ſervice w^th^ the dan-"gers of the time," he was not now for continuing to ſit to "think of a new ſupplie." The greater good muſt of courſe be preferred. "Fancie and affection muſt not "governe in ſuch counſells." Perhaps the lords might be able to reſolve them as to the real importance or otherwiſe of the preparations in hand. The plague was now around them; at their very doors; but the ſafety of the kingdom was more than the ſafety of their lives. If the former were involved, "he was noe Engliſhman "that would leave his poſt, to die reſolutelie for their

"countrie having been the honor of their nation;" but if it were otherwiſe, "he was no friend to England that "deſired it, nor could they in wiſdom give themſelves as "a ſacrifice to their enemies." For himſelf he was now for ſeparating and not giving. Why ſhould they continue? "The ſupplie w^ch^ was demanded being too little "for their valewes; leſs than they ſhould spend, if they "continued ther awhile."

Mr. Whiſtler's argument appears thoroughly to have diſconcerted that ſection of the council which May repreſented. He was a moderate man, not as yet committed ſtrongly to either ſide; and what he ſaid ſo far had ſpecial weight that it brought out vividly, apart from any views held by the "ſticklers" and "dangerous" men, the unmeaning poſition in which they had permitted themſelves to be placed. But they did not ſee all they had been betrayed into until Sir Francis Seymour roſe. They had reſiſted the propoſal for a conference; and other members had claimed to have propoſitions from the council laid before them in detail that they might "by *capita*, debate them;" when the member for Wiltſhire not only cloſed diſcuſſion on theſe points, but ſtarted in the place of them a diſcuſſion of quite other temper, "whoſe ſpirit," ſays Eliot, "once up, was "not ſoe eaſilie conjur'd down."

Seymour was a man of great powers and high ſocial poſition. The third ſon of Lord Beauchamp of the famous family of the great protector Somerſet, he was younger brother to Arabella Seymour's huſband, and, upon ſubſequently going over to the court at the meeting of the parliament in 1640, became Baron Seymour of Trowbridge. He was probably firſt driven into oppoſition by the court's harſh treatment of his brother, but while he continued with the country party he diſplayed a ſtriking ability and rendered effective ſervice. It was he who had propoſed in the previous ſitting the limitation to one year of the tonnage and

poundage bill; and upon his arrival in Oxford for the preſent ſitting he was, if the lord keeper is to be believed, the firſt member whom Buckingham's creatures had tried hard to get upon their ſide.* He was now about to ſhow how ill their ſucceſs had been; "and this he did," ſays Eliot, "with much bouldneſs and ſome aſperitie."

He began by declaring that he could diſcover no other reaſon for that meeting and aſſembly, nor that there could be other end thereof, than the corrupt and ſelfiſh gratification of ſome who deſired to put a jealouſy and diſſenſion between their ſovereign and his ſubjects. The declared object was money. But the king had profeſſed himſelf content with their firſt grant at London, which was now in courſe of collection; and even if more ſhould then be given, it could not be levied till the raiſing of the other ſubſidies ſhould be over, and againſt that time, which would be the ſpring, in the ordinary courſe they muſt have met again. It might be ſaid that upon a vote of the houſe to give, there would be credit to raiſe what was wanted; but what an argument was that to the diſhonour of the king! It was in the general affections of his ſubjects that a king was rich. A particular declaration might ſhow him entitled to a part, but the other made him free of the whole. All that his ſubjects poſſeſſed belonged to the monarch who could ſhow any true occaſion for ſuch ſervice. But that the ſmall ſum named, the forty thouſand pounds of which they had heard, and which he bluſhed to think of, that *this* ſhould need a parliament to procure it, were to exhibit too great a ſhow of want and poverty in the government! Where was that old treaſure of the kingdom, THE REPUTATION OF THE STATE, which the times of

* "Sir Francis Seymour," ſays Williams in his apology to the king, "a knight whom I knew not by ſight, told many of that houſe who imparted it unto me, that on his firſt coming to Oxford he was dealt with by a creature of my lord duke's, whom I can name, to ſet upon the lord keeper, and they ſhould be backed by the greateſt men in the kingdom." —See Hacket's *Scrinia Reſerata*, ii. 19.

queen Elizabeth enjoyed, when the leaſt of many miniſters of hers, if there had been occaſion, could of his own credit have ſupplied a greater ſum than this? Where were the days when that famous, never-to-be-forgotten princeſs, having no want, nor uſe, but only in prevention of her enemies, took up at once of the moneyers then in Germany almoſt all the coin of chriſtendom? Where was that credit now? Where were ſuch examples in this age? He doubted their worth and fidelity were gone. The miniſters now, he feared, were the men who had themſelves brought to their maſter his neceſſity; who, by unneceſſary preparations, had exhauſted his treaſures and ſpent his revenues; and who now, conſcious of faults ſo committed, were ſeeking to colour them by ſome others, and, if they could, to lay the blame on the commons of England. The gentleman that ſpoke on the previous day had talked to them of peace in France, and of a late reconciliation for the proteſtants there. But who knew not the violence againſt the huguenots at preſent? *Who did not wiſh that our own ſhips might not be made abettors in that violence?* Within the recollection of them all, five ſubſidies and three fifteenths had been given for the ſuccour of the queen of Bohemia. In what had ſhe been thereby bettered? What had been done therewith worthy of the intention? No enemy was declared, nothing attempted, but the conſumption of themſelves. Happy the prince who was counſelled by men of worth and knowledge! Miſerable he who reſted on the confidence of men that could but beg or flatter! Glorious the memory of a queen who could be munificent to her ſervants, by feeding them not on the marrow of her ſubjects but from her own ſtores! Nor would he deſpair to ſee the like glory and greatneſs wait upon that prince from whoſe true ſervice no dangers ſhould deter them, if he would but give them leave to do ſomewhat for their country, whereby it might be enabled and encouraged, through them, to yield him ſeaſonable ſupply.

This ſpeech diſmayed the courtiers. They had not conſidered the third courſe it preſented to them, of refuſing to give, and yet (for the reaſon that only by redreſſing the ſubjects' grievances could they be able or qualified to give) of continuing to ſit. With the weapons they had hoped to uſe againſt others they found themſelves aſſailed, and their own pretences turned againſt them. "That charge," continues Eliot, "upon the "miniſters of ſtate; the ſallie on their councills; the "paralell of the times; was no good muſicke in their "ears. All mention of the elders had antipathie to "them, and the glories of that princeſs were like baſaliſks "in their eyes. The mention of 'flattery' and 'begging' "alſo was knowne to have reflection on the favorite; "that bouldneſs gave ſuſpicion yett of more; and to "prevent it, and what was like to followe it, the Chan-"cellor of the Duchie did ſtand up with reaſons and "perſuaſions to ſtaie the ſtorm."

May took up at once the ſubject of the war expenſes and preparations, confining himſelf to it, and avoiding all reference to Seymour's ſtartling alluſion to the huguenots of France; for the reaſon doubtleſs that though a member of the council, he knew much leſs of Pennington's ſtory at this moment than either Seymour or Eliot. In the few firſt words he uttered, he ſeparated himſelf from Conway and Cooke. They had left it to the option of the houſe whether the war preparations were to proceed or be abandoned; whereas Sir Humphrey began by declaring that if the credit of all that had been done ſhould be loſt, beſides the diſadvantage of the work, it would be a general loſs to the honour of the nation, and impeach the reputation and eſteem which were the ſoul and life of every ſtate and government. He went over the old ground that parliament had adviſed the diſſolution of the treaties, and deſcribed as its reſults the ſeparation of France from Spain, the reuniting of Germany, the weakening of the pope, and the emboldenment of Denmark to

take the field. Were they now to deſert their allies? The credit of miniſters in paſt times had been appealed to; but if the plate and jewels of the king, or of ſome others they had heard daſht upon, could have procured money in the preſent need, and money enough, they had not met there then. But it was for them to give, not for others. The king's engagement was by them. He undertook but the deſign which they propounded. They ought not to recede now. It was no excuſe for ſuch a courſe that they knew not the means, or diſapproved the men, whereby the deſign was in progreſs. He would give them a different example from thoſe times that were ſo precious in their memories. When the Earl of Devonſhire went deputy into Ireland, the court and the council were oppoſed to him. But when the Spaniards joined the Irish rebels at the memorable ſiege of Kinſale, the court, though enemies to the lord-deputy, yet furniſhed him with all things needful in that hour of danger; and Lord Saliſbury, then lord-treaſurer, took pride to himſelf and the council that the deputy could not complain of *them*. Nothing had been wanting of their help, and if there were miſcarriage the blame muſt be his own. Let the houſe profit by that example now. Let them agree to make ſupply, and lay the burden of its proper use on others.—Sir Humphrey was never without ſtore of apophthegms, and with one he concluded, warning them that they incurred more danger in being reſerved than in being adventurous. Money given there might be caſt into the ſea, and ſo ſome treaſure lost; but not given, poſterity might have to rue it.

"The witt of this gentleman," ſays Eliot at the cloſe of his report, "alwaies drew the attention of the houſe, "though his motions ſeldom reliſh't it." As he had been a ſervant to Elizabeth's deputy,* bred under his com-

* This was the ſame Mountjoy, Earl of Devonſhire, with whom Laud was leſs creditably connected as chaplain at the opening of *his* public life,

mand and with him in thoſe troubles, his illuſtration had excited intereſt, but no man felt it to be properly applied. The general tone of his ſpeech, however, in direct contradiction as it was to thoſe of Conway and Cooke, gave riſe to much ſpeculation. Could it really be deſired that a pretext for diſſolving the parliament ſhould be afforded by its denial of ſupply, when the chancellor was now ſo urgent the other way? "The de-" ſire and expectation of deniall," ſays Eliot, "w^ch^ moſt " men did beleeve, ſeem'd to have a contradiction by his " waie, preſſing ſoe directlie for ſupplie, he being noe " ſtranger to the cabanet. This caus'd a diſtraction in " ſome thoughts, that by the ſuperficies judg'd the " bodie. But thoſe that took the dimenſion of all partes, " in the depth thereof found another ſenſe and mean-" ing; w^ch^ was, but to qualifie the jelouſie conceav'd, " and to divert that conſideration of the councells, w^ch^ " he perceav'd, having a ſharp judgment and inſpection, " had ſoe inflam'd the affection of the houſe that noe " ſmall matter could allaie it; oppoſition being like fuel " to ſuch fires; and therefore he endeavour'd it, by " changing that ſuppos'd ſtate o' th' cauſe, that ſoe, if " poſſible, he might change the order in proceeding."

This view was confirm'd when Edmundes, the treaſurer of the houſehold, roſe after May, and throwing aſide altogether the limit firſt propos'd, ſubſtituted for the forty thouſand pounds a demand for two hundred thouſand, or two entire ſubſidies and two fifteenths. Eliot tells us afterwards that this had not been done without previous application to Buckingham, who replied ſimply that the more they aſked the leſs likelihood was there

having abuſed his ſacred office to the celebration of what he knew to be a falſe marriage between his patron and the married woman with whom he was living, Lord Rich's wife. But Laud's ſubſequent remorſe for the act appears to have been deep and unaffected, quite apart from the injury it had entailed by obſtructing for ſome years his promotion.—See Abbot's Narrative in *Ruſhworth*, i. 440.

now of obtaining it. "They would but haſten the de-
"niall the ſooner by enlarging the demand."

But it was all in vain. "The propoſition of thoſe "counſellors for ſupplie had but a could acceptance; "and the intention w^ch^ it carried to divert the former "motions, was wholie rejected and in vaine." The morning had paſſed in theſe fruitleſs attempts to undo the miſchief done, and there was yet no ſign of yielding. On the contrary, excitement was manifeſtly on the increaſe among the country party, and was finding expreſſion in unaccuſtomed language. A motion was made for adjournment until next day, but in place of this it was reſolved to meet again that afternoon. And in the afternoon accordingly they reaſſembled, to hear one of the moſt remarkable ſpeeches ever ſpoken within thoſe walls.

At this point Eliot ſtops to indulge in a tone of reflection ſingular and intereſting in itſelf, and ſhowing deciſively when his memoir was written. Buckingham had lately fallen by the hand of his aſſaſſin, at what ſeemed to be a time ſupremely teſtifying to that continued and unhappy predominance over the king which the nobleſt of his ſubjects, the beſt and ableſt of Engliſhmen, had failed even to weaken; and Eliot makes no attempt to conceal, what no one thoroughly acquainted with the period can doubt, that the miſerable fanatic who committed that murder acted as much under the incentive of the public hatreds as under that of his own wrongs, and that among Felton's contemporaries the diſpoſition largely exiſted to account his deed in the nature of a judgment rather than in that of a crime.

"But that labor," ſays Eliot, again referring to the ſpeeches of May and Edmundes, "was in vaine. The "quarrell being begunn, all men were apprehenſive of "the injurie, and many did expreſſe it. Soe hard it is, "wher publick wrongs are done, to keepe them from "vindication or complaint. Minions maie enjoie the

" favor of their maſters; but if they once abuſe it, noe " priviledg can protect them. The ſubjects' crie will " followe them; and if it prevaile not upon earth, heaven " will heare and help them. Juſtice is provided for " their adverſaries. Seldome they eſcape itt here; never " hereafter. Vengeance does attend them; and when " the offences done are ſoe hardlie left unpuniſhed, this " ſhould make them more cautious in offending. The " meeting of the commons might have been prevented " with much ſaftie; but, being mett, that crime was " thought unpardonable. He that was the occaſion of " the trouble, muſt have his ſhare therein; and by that " means or more, till the meaſure of his iniquities was " full. And then, Vengeance muſt ſurprize him like a " whirlwind, and noe favor or greatneſſe may deliver him. " But as his meritt, ſuch muſt be his reward."

IV. A Memorable Debate.

Upon the reaſſembling of the commons after the dinner hour, Sir Robert Philips aroſe; and before he reſumed his ſeat, the relations of the country party to the government, and the poſition of members in the houſe to each other, had been changed more deciſively than in any previous parliament within memory. The leaders, taking up for the firſt time a compact poſition together, had abandoned the narrow queſtion of mere giving, or refuſing to give, of being ſubject to this or that perſonal caprice of an individual miniſter, and had taken their ſtand upon the broader ground, on which the conflict thereafter was continued and fought out, of the ſubjects' grievances and claims to redreſs, and of the old right of parliament to offer advice and counſel to the ſovereign. Eliot prepares his readers for "a high ſtraine " of eloquence by that maſter of expreſſion, Sir Robert " Philips;" and is careful even to deſcribe the un-

wonted gravity of manner and ſeriouſneſs of preparation diſplayed by him on this occaſion. "Caſting his "notions into a quadripartite diviſion, for method and "order to his ſpeech, in more than wonted gravitie, to "raiſe the expectation of his hearers, having compos'd "himſelf, thus he ſpoke."

Firſt he took the fact of their having been aſſembled after ſo brief a receſs, and at that place. It was to him, he ſaid, not inferior to a miracle. He adverted to the ſatisfaction that had been expreſſed in their work at London, ſo that no ſervant of the king, nay, if they muſt be diſtinguiſhed, no miniſter of ſtate, but approved what they had done. He reminded the houſe that his majeſty himſelf, who was more than a thouſand others, had given ſuch acknowledgment thereof, that, in very teſtimony of his feeling, the adjournment had been ſuggeſted for preſervation of their healths, which he balanced equally with the conſideration of his own. Such having been the ſatisfaction of that time, and nothing afterwards occurring to account for change or alteration; no new enemy diſcovered, no new deſign in hand, no new danger preſſing; yet were new counſels ſuddenly taken. Why, no man could judge. How the former ſatisfaction ſhould be loſt, and by that, their favour with his majeſty; ſo that what then was thought enough, ſhould of a ſudden ſeem too little; no reaſon could reſolve him in the point, nothing but divinity could judge.

Philips then, with extraordinary bitterneſs, adverted to the part played by Cooke at the cloſe of the Weſtminſter ſitting,* pointing by inference at the perſon of whoſe will and pleaſure he had then made himſelf the inſtrument, and further illuſtrating the diſtinction now heard of firſt, and pregnant with ſo much danger, between miniſters of ſtate and ſervants of the king.

* See *ante*, 301–305.

Strange indeed was the precedent to which he had called their attention. It was without example that upon the declaration of his majesty before named and his acceptance of their gift, most of their members being retired, indeed so few left they could be hardly called a house, that then a new proposition should be made in his majesty's name! Who was it that had done this? Who was it that had planned it, like a surprise of enemies, not as an overture from friends? Friends should deal clearly and above-board, not circumvent the innocent, not make such requital of their love. This, nevertheless, had been the act of the same gentleman who yesterday again, before his majesty, did that which never before was done, and for both deserved to render an account. For, though the danger at the former sitting had been put aside, the attempt was not less guilty; and for what they had all so recently witnessed, no excuse could be made. Strange, he repeated, were those things; but far more strange the adjournment for only a few days, and that meeting there in Oxford! As it could not be that the king should have such mutability in himself, was not the real cause manifest to them? To have the whole kingdom hurried in such haste for the will and pleasure of *one subject!* That the subject should presume to transfer his errors to the parliament! That the parliament should be thought a fit father for great faults! All this, he protested, was beyond example and comparison. But the mischief was done, and he would rather now take advantage of such good as might be procurable from it. He was himself, therefore, in no respect of opinion with those that were disinclined to continue to sit. He valued not his safety beside the safety and welfare of the kingdom. God had brought them thither; and, as Joseph went for Egypt, by that coming, though unwished for, some glorious work might be. What was not intended among men, the pro-

vidence or heaven could induce. *They were to act their parts, and leave the success to God.*

To the second division of his speech, which concerned the counsels of the kingdom whereby these evils had become possible, Philips next addressed himself. As to the Spanish labyrinth of treaties out of which so much mischief had proceeded, he was of opinion that God had made it a national punishment for their sins. By those treaties were induced that dangerous journey of their prince, led on by the flattering counsels of servants who had brought king James in love with the deceitful face of friendship held by Spain, and betrayed him to the nets of a subtle, fox-like, artificial, faithless people. Well had he reason to remember what was suffered in that cause, when, for the opposition made in the parliament of 1620, their liberties were harassed and their persons in restraint,* whereof, by the ill influence of those planets, he had himself borne a share. For what had he, and others before whom he was then speaking, been taxed, but for arguing against the Spanish match? For that time, however, a deliverance came through a higher power, and the very journey into Spain, which began not to that end, was the means itself of releasing them. What ensued in the following parliament was fresh in all their memories; the desires entertained, the pledges demanded, the promises given and broken. He would name to them three for which, at the rising of that parliament, it was believed that security had been taken. The first was, that for prevention in the future no more such treaties might endanger them, but the prince should match with one of his own religion. The second was, that there might be such respect held to our neighbours and fellow-protestants in France, as to preserve their safeties who reciprocally were "a safety unto us." The third was, to maintain the religion of the kingdom

* See *ante*, 110, 111.

that the laws might have their life, and delinquents not be ſuffered to affront them. How theſe promiſes had *not* been kept, the certainty was, alas! too great. They knew what articles had been propoſed for the Spaniſh match, and what conditions had been made at the French marriage they had too much reaſon to doubt. Let them look around them before it was too late. They would ſee the papiſts ſtill increaſing, the prieſts and jeſuits growing more bold, little done for ſupport and much for diſcouragement of their allies, and coldneſs and indifference everywhere in place of warmth and zeal. Let them ask themſelves by what counsels this was ſo, and ſuffer truth and reaſon to anſwer it.

The orator then took up, for the third diviſion of his ſubject, the preſent ſtate and condition of the people. He told the ſtory of impoſitions, and of the title ſet up to a royal prerogative therein, from ſo early as the ſeventh of James's reign. He deſcribed how the queſtion had been handled in that houſe, and how argued and debated for the intereſts of the ſubject. He cited the reſolutions paſſed declaring it their right, their inheritance, to be free; and with theſe he contraſted a ſeries of acts deliberately committed in prejudice of that liberty. He dwelt upon well-remembered ſcenes in the parliament of 1614: when, upon a conference having been ſettled with the lords for which all the great lawyers of the commons, being appointed leaders, had prepared arguments to vindicate the ſubjects' rights againſt the pretended prerogative, a plan was hit upon for diſpoſing of those elaborate arguments in a manner much more effectual than by handling them in conference, it being reſolved to burn the arguments inſtead of attempting to reply to them; and thereupon, in the preſence of the council, before whom arguments, books, and records had been brought by royal order, while his majeſty looked on through a hole of the arras from the adjoining clerk's chamber, a

bonfire was made!* As far, continued Philips, as preſent power might rule the judgment of poſterity, it was then meant that the liberties themſelves ſhould be conſumed, with the records and books that held the evidence of them. But ſtraightway they roſe again. Never had a large bounty been taken of the ſubject, as when two ſubſidies were given in 1620, as when three ſubſidies and three fifteenths were given in 1623, but ſurrender was exacted of the claim of the prerogative in that point. Nevertheleſs, ſo little had the bounty of the people availed, ſo little had been the regard given to their modeſty and forbearance, that now while he ſpoke, and in violation of the law paſſed in the parliament laſt named, this grievance was ſtill upon them; and a wrong had been added to it which never was before. *The dues of tonnage and poundage were at that inſtant in courſe of levy and collection without a grant from parliament.* Were power and force, then, alone to be extant; and was right to be held an impertinence to ſtates? He declared it for his conviction that there had been more preſſures on the people within the ſpace of ſeven years then laſt paſt than almoſt in the ſeven ages next before it. Let them infer, from that, in what condition the ſubject now muſt be; what ability was left him, and what affection he was like to have! Was conſideration of the ſtate more encouraging than that of the people? He had ſhown them the councils there monopoliſed, as the general liberties elſewhere. The whole wiſdom was ſuppoſed to be comprehended in one man. Maſter of all favour, he was likewiſe maſter of all buſineſs. *Nihil unquam priſci et integri moris*, as Tacitus had obſerved

* Sir James Whitelocke, Bulſtrode's father, in his *Liber Famelicus* (pp. 41, 43) has alſo deſcribed the ſcene. "I ſaw the king," he ſays, after mournfully recording the fact of his having juſt before ſeen his own twenty-four ſides in folio, written with his own hand, burnt by Mr. Cottington, then clerk to the council, "look throughe an open place in "the hangins, about the bignes of the palm of ons hand, all the while the "lords wear in withe us."

upon the decline of Rome, *ſed exuta æqualitate omnia unius juſſa aſpectare.* Many were the councillors in name, but few retained more than the name. *Æquales ordinis magis quam operis,* as Paterculus had noted of the like. Their reputation might be ſomewhat, but their authority was ſmall; and their affections as much under check as their greatneſs and power. Nor could any ſtronger argument be uſed to ſhow the ſickneſs of the ſtate, than that which thoſe very gentlemen had preſented to them; that its credit was ſo weak it could not without a parliament take up forty thouſand pounds!

Some uneaſy expreſſions of diſſent here falling from the councillors, Philips ſeized the occaſion with the reſource of a great ſpeaker. He did not name theſe things, he ſaid, to caſt obloquy upon any member of that houſe. They bore other meaning to him. They were an argument that God was not their friend. By thoſe abuſes of favour among them, they had loſt the favour of the Almighty. He was become their enemy; and unleſs they had peace with Him, it was in vain to think of war with others. An inward preparation muſt precede, before their outward preparations could be hopeful; the watchman waking but in vain if the Lord watched not with him. Let no one, he added, cloſing in this moſt ſtriking way the third branch of his addreſs, be content to repoſe in a fancied ſecurity. *It might truly be held an impoſſible ſuppoſition that the Engliſh would leave their king.* Yet in reſpect of the great abuſe of counſels, let the councillors then preſent bethink them who was indeed reſponſible; and that IF ANY MAN MADE A STAND the blame muſt light on thoſe who had occaſioned it. If they would get heaven again upon their ſide let them follow the examples of their fathers. The way of parliaments was the only ſafe one; and wherever the ill counſel was, it ſhould be left to parliament to remove it.

The fourth diviſion of this remarkable ſpeech dealt

generally with the matters embraced in it, and gave the orator's opinion on the whole. Let them not think that he deſired to tread too near the heels of majeſty. He craved only to keep majeſty from danger. All things were now ſuffered under that name, and could they believe that the name itſelf did not ſuffer? There could be no greater wrong to the king than the injury of his ſubjects; and it was their duty, in that houſe, to vindicate both the ſubject and the king. He would not have them reaſon of what they underſtood not. Too much time had been waſted there in talking of the fleet, and whether the ſhips ſhould go or ſtay. How could they judge, not knowing the deſign? Let it be carried out by thoſe who planned it; of the event it would be their function to judge; and meanwhile higher duties awaited them. The eſtate at home, the affairs civil and domeſtic, theſe were the proper objects of their cares. To ſettle the government of the kingdom; to rectify the diſorders, to reform the grown abuſes, to heal the diviſions thereof: *this was their buſineſs.* And for this he would not have them think of parting, but would have them earneſt ſuitors to his majeſty that he give them leave to continue to ſit. The great ſervice they might thereby render to their ſovereign would afford him more ample aid and credit than many ſubſidies could give. It would bring him whatever was needed now to clear the ſtreams of his revenues, to refill the fountain of his exchequer, to repleniſh his exhauſted ſtores, to collect his ſcattered beams! *It would lay at his feet the love and ſatisfaction of his ſubjects.* Deſiring therefore that ſuch might be the reſolution of that houſe, he moved a committee to prepare, in accordance therewith, an addreſs to the king.

The effect of this extraordinary ſpeech, ſo quiet yet determined, ſo brief yet comprehenſive, loyal in the higheſt ſenſe but filled with the conſciouſneſs of power, earneſt not leſs than eloquent, and pregnant with ſignal warning, was deciſive in one reſpect. From the hour of

its delivery the ſtruggle between Charles and his parliaments took the form which, through many ſubſequent changes and viciſſitudes, aſſured to it its ultimate triumph. Days were to come in which this old boundary would of neceſſity be overpaſſed, but for the preſent the limits were defined, and the purpoſes declared. The narrow iſſue which Buckingham had fought to raiſe was put aſide for ever. With the queſtion of ſitting or ſeparating; of giving or refuſing to give; of ſupplying the wants of the court for purpoſes not permitted them to diſcuſs, or betaking themſelves to their homes; of making laws to a minister's caprice, or not legiſlating at all; were now joined, in ſuch wiſe that none might ſeparate them, a quite different queſtion. It was not to be a perſonal quarrel, little or great. It was to be a contention for the liberties of England in the intereſt of her king. Through the side of Buckingham it was hoped that theſe might be reached; and Charles was firſt to be ſaved from that ill counſellor. This was a novel turn indeed to the perſonal iſſue which the duke had himſelf raiſed in his interview with Eliot; and from this point, it is clear, he ſuffered that part of his ſcheme to drop. The daring and inſolent expectation with which the houſes had been ſo ſuddenly adjourned and ſo precipitately reaſſembled, appears at this time to have deſerted even him. His plan had failed, after Philips's ſpeech, even ſhould they be diſſolved at once; and that ſome compromiſe might be poſſible ſo that they ſhould not be diſſolved without giving, ſeems clearly to have become, from the moment that Philips reſumed his ſeat, an object of ſudden and extreme deſire with the reſt of the councillors.

Never, ſays Eliot in his memoir, had diſaffection declared itſelf in the houſe of commons with ſo much ſtrength and ſharpneſs. The mere injury of that meeting was forgotten in the entire prejudice of the time. For all the miſtakes committed, for all the misfortunes

ſuffered, both foreign and domeſtic, reſponſibility had been fixed upon the court. Its miniſters and ſervants had uſurped powers not belonging to them; had abuſed the favour of their prince; had drawn all things to their own deſires; and had then yielded what was graſped to the diſpoſal of one unbridled will. "Againſt this pro-"digious greatneſſe, which like a comet was ſuſpected "to threaten great diſaſters to the kingdome, the "generall intention of that houſe beganne then to be "inflam'd; and neither parting nor ſupplie was any "longer thought conſiderable in the caſe, but the "reformation that was ſpoken of, the reſtauration of "the government." So violent on the ſudden became the ſtream and current, that it was to be ſtayed at any riſk; and to attempt to ſtay it, another of the privy councillors ſtood up, Sir Richard Weſton, chancellor of the exchequer. Eliot's remark thereon is further proof of the time when he was writing. When the favourite was murdered, Weſton had become lord-treaſurer; and we ſhall find Eliot devoting his laſt ſpeech in the commons to a denunciation and warning of that follower of Buckingham, againſt reviving the ſpirit of his dead maſter. In the ſame tone he ſays here that chancellor Weſton now had "to practiſe for others what he muſt "after endeavour for himſelf. Such being the fatalitie "of great perſons, that example of misfortunes cannot "move them. This man muſt ſee in others, what were "the dangers of exorbitance; how Phaeton roſe, and "fell wanting a moderation to containe him. Yet honor "and ambition muſt tranſport himſelf, let fortune rule "the reſt!"

Weſton's ſpeech was elaborate, but made ſmall impreſſion after Philips's. As to religion, he doubted not the ſatisfaction would be ſpeedy, and that therein would be no more fear. He did not deny that the long time of peace had bred errors in the ſtate by a too much dependence on treaties, but it was now for them

to rectify thoſe ills, and to ſeize the advantage "under "hope." Two leading reaſons he alleged as deciſive for a further vote of ſupply. The firſt was the neceſſity of the work in hand; the cauſe of religion being in it and the general good of chriſtendom, beſides the honour of the kingdom and reſtitution of their friends. For, the princes engaged with them had but followed *their* enthuſiaſm; to hate, to love, and to fear at their bidding; and as there had been warmth, there would be coldneſs, if ſuch were the example now. The next was the king's neceſſity, on which the chancellor greatly inſiſted; dwelling upon the debts and expenſes inherited from his father, the charge for the royal funeral, for ambaſſadors and the like, by which his cheſts had been emptied; and pointing out alſo how ſerious might be the danger, if the king and themſelves ſhould now part abruptly, of thereby declaring abroad the exiſtence of an ill underſtanding. His majeſty when in Spain had obſerved how his father ſuffered by the prejudice of ſuch diſagreements with his parliament. It was from ſeeing how the home-bred jealouſies and diſtractions between his ſubjects and himſelf had brought him to contempt among that people, that the prince endeavoured, during the laſt parliament, as a happy ſtar and planet to compoſe all ſuch. The reſult had been more grace to the people, in the laws then paſſed, than at any time before. Such and ſo real, therefore, being the demonſtration of the virtues of their ſovereign, and ſo manifeſt his occaſion and neceſſity, they ought not to be backward in truſting him. There and then was the opportunity. Whatever might be contemplated as deſirable hereafter, the preſent time was indiſpenſable to the action in hand. Let them put other queſtions aſide for the preſent, and ſpeak only to that. Affairs abroad were not to be commanded. Other things might ſtay. Two ſubſidies and two fifteenths would be dearly purchaſed to be then withheld. The expectation of the world being upon that firſt

action of the king, if he loſt thus his honour it was no ſmall thing he parted with; it being the honour also of the nation, which had no medium between their glory and their ſhame. The fruit of their former labours was in that; and if they there ſhould leave it, both that and all their bounties were in vain. Moreover, not confirming then the counſels they had given, *beyond that day there would be no place for counſel.*

The ſting of this addreſs, its point as well as its meaning, was in its cloſe. The final ſentence was a threat. If they did not that day ratify what had formerly been adviſed, the opportunity was gone from them. Beyond that day there would be no place for counſel. Nevertheleſs, Eliot contents himſelf with remarking drily reſpecting it, that there being deemed to be in it leſs of prophecy than menace, the diſlike it moved was greater than the fear. Generally it was noted too, he ſays, how much it varied from the ſpeech which was made before the king, wherein thirty or forty thouſand pounds was talked of. And all this, he adds, "quickening ſtill the humour that was ſtir'd, "drew this expreſſion further from that great father of "the law, Sir Edward Coke, who, in much obſervance "to the houſe, much reſpect unto the cauſe, having "conſulted with his memorie of the proceedings in like "caſes from the precedents of the antients, made this "introduction and beginninge"— An abſtract of the ſpeech follows. It was one of Coke's greateſt efforts, and the imperfect fragment of it in the hiſtories has led to many a regret that it ſhould not have found completer record.* Now for the firſt time we may obſerve its general ſcope, and underſtand the effect produced by it.

* The editors of the new edition of the *Parliamentary Hiſtory* (vi. 364) with ſome reaſon congratulated themſelves on having been able, by the help of "an old manuſcript of the proceedings of this parliament," to preſerve certain ſtrokes at the lord treaſurer and the lord admiral not preſerved in the fragment of Coke's ſpeech contained in the *Journals*

He began by ſaying, that, in the 37th of the third Edward, when, though that prudent warlike king was in the exaltation of his glory, the ſubjects yet were ſuffering through the abuſes of ſome miniſters, the commons ſent up a petition that Edward ſhould command his biſhops and clergy to pray for three things: the ſtate and happineſs of his majeſty, the peace and good government of the kingdom, and the preſervation and continuance of unity and love between his ſubjects and himſelf. Theſe had been put in hazard by the conduct of his officers; and till the doers of ſuch wrong to the king, obſcurers of his glory, were removed, no ſubvention would be poſſible. If, without diſtaſte or injury, that petition might be made to ſuch a prince, why in their own caſe ſhould they fear it? In that confidence he would freely ſpeak his heart, for the honour of his ſovereign; not doubting but his goodneſs would ſo take it. After which preamble he reduced his ſubject, through many diviſions, to the queſtion of whether they ſhould then make an addition of ſupply, or by ſome other mode give ſubſiſtence to his majeſty.

For the firſt, then, he rendered his opinion frankly, *not to give*. It was not parliamentary to engraft ſubſidies upon ſubſidies. Were they then to give, collection could not be made until the ſpring; in itſelf not merely a long credit, but one that would put in peril what was far beyond all grants or payments, the good affections of the ſubject. And let them remember the afflictions of the time; the interruption to trade by the peſtilence; the ſhutting up of London; and the conſequent decay and poverty of the commons. Abundant were the examples of foretimes, to warn them never to preſs too far the people's ability to contribute. In the fourth of Richard the Second, and in the third of Henry

(i. 811); but a compariſon of either of the fragments with the complete abſtract now before the reader will ſhow the value of what Eliot has preſerved for us.

the Seventh, rebellions followed. And when, in the fourteenth of Henry the Eighth, the attempt was repeated, the collectors were all ſlain; nay, ſo fearful was the apprehenſion raiſed throughout the ſtate, that to moderate the excitement the king had to diſclaim the fact, tranſlating it to his counſellors; who from themſelves imputed it to the judges, by whom it was laid upon the cardinal. Thence might be eſtimated the dangers incurred at that time, by riſking too great a load and preſſure on the ſubject; and the ſame he held to be a reaſon irreſiſtible againſt giving now. As for the argument of neceſſity, it was but the convenience of thoſe who employed it. Nothing ſo eaſy as to retort that argument againſt the ſupply of the neceſſity pretended. Uſing the diſtinction made by Bracton, of the three ſorts and orders of neceſſity, *affectata*, *invincibilis*, and *improvida*, he thought the neceſſity in this caſe to be neither affected nor invincible, but improvident and voluntary. And where was the encouragement to giving, when thoſe that had ſpent the former gift muſt be maſters of the new ſtore, and the people would be contributing of their ſubſtance for nothing but their own ruin?

The great lawyer next took up the ſecond branch of his ſubject, or the modes other than a ſubſidy by which ſubſiſtence might be found for his majeſty. And here the reader has to remember that what is now called the civil liſt was then unknown; * that parliament had as little check over the private expenditure and gifts of the king, as over the ſources of his ordinary income and revenue; that, from the abſence of all neceſſary controul over the farming of the cuſtoms and the diſtribution and ſale of offices, the moſt frightful abuſes were prevalent; and that the uncontrolled power of the ſovereign over the enormous waſte lands, parks, and

* See *ante*, 157, 158.

foreſts, formed a ſubject of conſtant complaint as it was a ſource of fruitful oppreſſion.

Coke began by laying it down for his ground-work and poſition that ſubſidies were not proper for the ordinary expenſe and charge, but that the proviſion, for this, ſhould be in the ordinary income and revenue. *Commune periculum commune trahit auxilium:* common ſupport and aid ſhould be for common dangers. The proper ſtore of princes lay in lands and revenues. Such was the inſtitution of their government, and ſo had been the practice in foretimes. Three things, he went on to ſay, were requiſite to a king, and for theſe there muſt be a conſtant ability in the ſtate. The firſt, to defend himſelf againſt the invaſions of his enemies; the ſecond, to give help to his confederates and allies; the third, to reward the merits of his ſervants. Should any of theſe be wanting at this time, it was wanting to the king. No arguments were needed to prove this, which to the full he admitted. There was a leakage in the ſhip of the ſtate when ſo much could be ſaid. But to repair the deficiency, to ſtop and not increaſe the leakage, and in the manner that would commend their work, they muſt firſt ſearch the cauſes, and then propound the remedies; which, as his reaſon ſhould ſuggeſt them, he now propoſed to do.

For the cauſes he named eight. Firſt, the frauds of officers and ſervants; inſtancing the farmers and collectors of cuſtoms, "the cuſtomers" as they were called; of whom it was notorious that one farmer had been deriving to his private gain during the laſt ſeven years not leſs than 50,000*l.* a year. Secondly, the Spaniſh leagues and treaties; wherein was loſt and ſpent more than arithmetic could count, whereas from that faithleſs people nothing was ever got but by war. Thirdly, the erecting of new offices with large fees, and the continuance of others both unprofitable and unneceſſary, indicating firſt among the latter the preſident-

ſhips of York and Wales. Beware of ſuch irregular juriſdictions, cried the great ex-chief juſtice. They are a monſtrous burden to the king and no leſs oppreſſive to the ſubject. A ſimilar preſidentſhip had been intended for the weſt, and, by an order of council in the thirty-firſt of Henry the Eighth, was ſo reſolved; but the wiſdom of that county declined it, preferring to reſt upon the common law of England. Fourthly, the multiplicity of offices in one man; who not only could not ſerve them faithfully, but excluded from them others worthy of preferment, whoſe rewards, ſuch places being poſſeſſed, muſt come directly from the revenues of the crown. Fifthly, the diſorders of the royal houſehold, through the abuſe of ſuch miniſters as Cranfield* and Harvey, who had been ſuffered to leap preſently to the green cloth out of ſhops and warehouſes in the city. Sixthly, exceſs of penſions and annuities, of which he declared that the ſtate had then more charge than the whole government had borne from the conqueſt to that time; a market having been erected for ſuch wares, which, by ſo being bought and ſold, had grown into a perpetuity and continuance. Seventhly, grants for portage of money, carrying allowances of twelvepence a pound out of the revenues gathered; whereas the ſervice might be done without the leaſt deduction. Eighthly, grants of fee-farms and privy ſeals; whereas gifts and rewards from the crown ſhould conſiſt of offices and honours, not of the royal treaſures or inheritance. Such among others Coke alleged to be the cauſes of the waſte complained of; and from thence he paſſed to conſideration of the remedies.

He diſtinguiſhed them, after the manner of phyſicians with their cures, into two, removent and promovent.

* *Ante*, 160, 162. "From walking about the exchange he has come to "one of the higheſt places at the council table; he is married to one of "the tribe of fortune, a kinſwoman of the Marquis of Buckingham." *Howell*, 116.

For the removent, he would have the ſtated cauſes at once be attacked by their direct contraries. The frauds, he would expoſe and puniſh. The treaties, he would abandon. The needleſs offices, the oppreſſive and irregular juriſdictions, he would retrench; citing for this courſe precedents from nineteenth Henry the Seventh and twenty-ſecond Henry the Eighth, when the like was done. The multiplicity of places held ſingly, he would aboliſh. The abuſes of the houſehold, he would rectify by recurrence to old inſtitutions and forms. The annuities and penſions in exceſs, he would remove. The portage of monies, he would ſuperſede by directing the ſheriffs of each county to bring in the revenues to the exchequer. And all royal largeſs, of whatever kind, he would be ſparing of until treaſure ſhould abound; quoting for illuſtration what was provided by the ſtatute of ninth Henry the Fourth, "that no man ſhould beg till "the king were out of debt." Such for the removents having propounded, he handled then the promovents. Firſt among theſe, he held that large augmentation to the crown, and increaſe and benefit to the kingdom, would reſult from the incloſing of waſte grounds; the king having thirty-one foreſts, beſides parks, containing a maſs of land that might be brought into various uſes, but which then yielded nothing but a charge. Secondly, the government of Ireland ſhould be rectified. That government, in the days of Edward the Third when ſilver was but five groats the ounce, brought in more than 30,000*l.* a year; whereas now, notwithſtanding the increaſe in the value of money, its returns were worſe than nothing. Thirdly, the king's rents ought to be improved. They would bear, he ſaid, under proper management, an increaſe to a full third; and that in itſelf would be a large addition to the ordinary revenue, which ought to bear the ordinary expenſe. But how ſhould ſuch improvements be effected? *There was but one way; by the ſelection of good officers and miniſters,*

the incapable and bad being diſmiſſed. So, in the ſixth of Edward the Third, that king undertook it, and brought to an equal balance his expenſe and his revenue. So was it alſo accompliſhed and declared, in the fiftieth of Edward the Third, in the ſixth of Richard the Second, in the fifth of Henry the Fourth, in the firſt of Henry the Fifth, in the eleventh of Henry the Sixth, in the firſt of Edward the Fourth, in the firſt of Henry the Seventh, and in the eleventh of Henry the Eighth. It ſtood on record, moreover, in the roll of the twenty-ſeventh of Edward the Third, folio nine, that that king, during fourteen years' war with France, had not once charged his ſubjects becauſe he had good miniſters and experienced officers. Upon all which, Sir Edward cloſed with a deſire that they ſhould continue their ſitting, to the end that a committee might be appointed to conſider the matters of which he had ſpoken, to ſet down thoſe or ſuch other heads as might be thought hopeful to that ſervice, and to obtain from his majeſty time to treat and handle them, according to the importance of the work.

The ſcope, gravity, and weight of this ſpeech, Eliot remarks, had a prodigious effect; and there was one particular paſſage in it, he adds, that more than all the reſt ſeemed to gall the privy councillors. Leſs apparently on that account, however, had Eliot thus reſerved it for ſeparate mention, than as having ſpecially made appeal to himſelf as a vice-admiral. It occurred where the great lawyer, dwelling on the improvidence and incapacity of miniſters, ſhowed it by diſorders in the admiralty, and by the mismanagement of the naval preparation, of which they had heard ſo much and which had done ſo little. It was a new faſhion, he ſaid, that had come up in ſuch things. In the days of queen Elizabeth, the navy had other things to do than "*dance a pavine*," lying upon the water ſo long time in readineſs without action. But it was now, forſooth, the charge of his highneſs the lord admiral. In the old time, that great place was not committed to ſuch truſt. Places

of great title had always indeed been ready for enjoyment by great perſonages; but to offices ſuch as the admiralty, it had been the wiſdom of their elders to appoint only men of ſufficiency and merit. Up to the twentieth of Henry the Eighth, the maſters of the ordnance were tradeſmen; and after the nobility once poſſeſt it, that office had never been well executed. Now, however, the moſt laborious and difficult duties were far from too much for one grand perſonage. In the reign of Edward the Third the admiralty was divided into the ſouth and north, as being in the judgment of that prince too much for one command; but now it ſeemed that both this and a vaſt many others were much too little for one!

When Coke finiſhed it was expected that ſome councillor would have riſen, whereas all of them on the right of the chair waited, conſidered, and ſpoke not. Members of the country party continued nevertheleſs to addreſs the houſe, and among them, Mr. Alford, Sir George Moore, and Mr. Strode; applying themſelves chiefly to the two arguments of the courtiers, that the parliament was committed to what its predeceſſors had undertaken, and that the work to be accompliſhed by the naval preparation was one of neceſſity. To the firſt it was anſwered that there was no engagement, as was urged; that there was no power to engage the kingdom but by act, and that if there had been an engagement, it was quit; the laſt parliament having given four hundred thouſand pounds towards it, beſides the ſubſidies granted ſince, and yet even now no war proclaimed, nor any enemy declared. To the ſecond, by induction it was argued from the form and incidents of the preparation, that the alleged neceſſity could not poſſibly exiſt. Having raiſed a laugh againſt ſome reaſoning of an indiſcreet friend of the Palſgraf and his wife, Sir Francis Netherſole,* Mr. Strode pointed out that the

* Netherſole's argument had been, that juſt when the treaties were broken, a great lump of the Palatinate was going to be diſgorged, and that

land ſoldiers for the ſervice had been all preſt, and at their rendezvous, in May; that the ſeamen were there in April; and that the victualling and proviſions were ſhipped in March. Of the latter nearly five months ſtore, therefore, had been ſpent without moving from the harbours. At a vaſt expenſe and charge, and without any ſervice to the king, the landſmen had been three months, and the ſeamen four, under poſitive pay and entertainment. More had actually been waſted monthly, ſince March laſt, than the ſum of what was now aſked for. And was all this covenable with the neceſſity pretended? *

The ſtrange ſilence of the councillors was at length broken by the re-entrance, after brief abſence, of Heath the ſolicitor general, whoſe very cloſe connection with Buckingham gave a marked intention to the tone he aſſumed, and leaves us to infer from it what Eliot more plainly ſtates; that as, from time to time during this memorable day, notices of the debate and its incidents found their way to the miniſter, his arrogant ſelf-confidence for the moment had been ſhaken. Heath fain would have blunted, with conciliating proffers and phraſes, the keen edge turned againſt his maſter; but it was too late.

if the preparations were now abandoned, the Palſgraf would be in a worſe poſition than even the treaties put him in. But the argument raiſed nothing graver than a ſmile. "It had," ſays Eliot, "ſmall authoritie or beliefe, "comming from a gentleman that was ſeldom fortunat in that place" (the houſe of commons). "He was a ſervant to the Palſgrave, ſecretarie "to his queene; and one that had a faire education, and ſome hope in his "younger days of ſtudie: but in his exerciſe and practice, art had ſo con-"founded nature, or time both, that moſtlie his affections had prejudice by "his reaſons."—*Eliot Papers.*

* Strode's argument againſt the pretended "neceſſity" of the naval preparation, ſays Eliot, he baulked altogether. "For to denie the argu-"ment, he could not; the inference being ſo cleere that ſuch unneceſſarie "preparations and expenſes prov'd rather an exceſſe than a neceſſitie. To "denie the particulars that made up the induction, he dared not; their "truth being knowne to all men. To grant both the induction and the "inference, and in the fact denie it, was as dangerous as abſurd; it ſup-"poſinge a neceſſitie without reaſon, and an improvidence more ſhamefull "than the wante."—*Eliot Papers.*

He began by proteſting for himſelf that having two capacities, one as a member of that houſe, the other as a ſervant to the king, he would without partiality expreſs himſelf; not as holding of Cephas or Apollo, but to the reaſon of the caſe and in the integrity of his conſcience, as his judgment and opinion ſhould direct him. Well, then, he held that they were bound by the declaration of the laſt parliament, involving the diſſolution of the treaties and a war as the conſequence.* In this view their grant at the laſt ſitting was not a ſatisfaction, but an "earneſt;" the obligation holding not to the time but to the occaſion. For the not knowing the enemy, it was but a point of form, of ceremony, at the moſt but a diſpenſation for the preſent; a diſſolution of the bond it could not be; and he ſhould himſelf humbly join with thoſe who might be ſuitors to the king to remove that ſcruple of their jealouſy, and let the enemy be declared. For the holding of places by men of no experience, he knew the perſon aimed at, as the houſe knew his own relations to that perſon; but if he had been in fault, that was no reaſon why the public ſervice ſhould be prejudiced, or that this, which had the firſt claim, ſhould not be preferred, and the particular complaint dealt with afterwards. For the afflictions of the time, they were in God's diſpoſal, and could not be prevented; nor might they be pleaded in excuſe for not reſiſting actively their enemies. Their enemies were armed, and would not be idle if they themſelves ſat ſtill. Either in Ireland or elſewhere they might expect ſome attempt upon them, which would put

* Remarking upon this argument in another portion of his papers, Eliot ſays: "That point of the ingagement from the previous parliament was "againe anſwear'd, not onlie from the fact but from the intention of the "houſe: wherin it was remembered that ſoe carefull they had beene to "avoid that rocke and ſhelfe, as both in the declaration which preceded, "and in the preamble of the act which was made an explanation of the "former, all words and ſillables were ſtroke out that might carrie an "interpretation to that ſenſe." Eliot himſelf, it will be remembered, had taken active part in thoſe proceedings, and ſpoke with perſonal knowledge both of what was done and intended.

them to more trouble and more charge than was aſked of them now. The ſeaſon of the year had been objected to by ſome, as if the time were paſt for the fleet to put to ſea; but to this he anſwered that as the deſign was ſecret, the right ſeaſon for it could not be known. A learned perſon whom he profoundly reſpected, had compared the king's eſtate to a leaking ſhip, not to be ventured further in until it were careened; but if a leaking ſhip were ſet upon by enemies, it would not be the buſineſs of the crew to look to the ſtopping of the leak and let the ſhip be taken, but firſt to oppoſe the greater danger. Outward attempts were to be met, though inward diſeaſes might brook delay. He concurred with the councillors, therefore, that it was fit, and ſhould be the ſole buſineſs of that time, to give; but for the quantum he would refer it to the houſe altogether.

The day was now far ſpent; no diſpoſition exiſted to accept Heath's overture as anything conciliatory from the duke; and no attempt was made to reſiſt a further adjournment of the debate to the following morning. The ſhort interval of time was to be buſily and anxiouſly employed by both parties.

V. Choosing Parts; and Assisting at a Play.

"The daie being farr o're ſpent," ſays Eliot, "much "time and labour paſt in thoſe arguments and diſputes, "and manie more intending ſtill to ſpeake, the houſe "perceav'd the reſolution was not neer." Plainly there was not any hope that a day might bring the debating to its cloſe. It had aſſumed proportions too formidable for the old limits and rules.

Such a ſpirit, Eliot informs us, had never been ſhown in his recollection. In that Oxford divinity ſchool had been heard many a debate tough with the οις and ους of polemical controverſy, but unknown to the old walls till now was the fierceneſs of a debate upheld by

ſtern reſolution and inflamed by paſſionate reſolves. Never before, in the houſe of commons itſelf, had men ſo vehemently ſpoken out their differences, or ſo eagerly ranged themſelves on oppoſite ſides. Nor was this the ſole or the main diſtinction from previous periods of excitement otherwiſe reſembling this. Much as they poſſeſſed in common, there was yet a peculiarity very marked at preſent, and not noted in former times. It was not, as Eliot ſays, that "the courtiers, being fearfull, "grew exaſperated for their friends, whom they ſawe "aym'd and pointed at, and did doubt ſome neerer "touch." It was not that the country party, as he candidly admits, "by the oppoſition made more quicke, "in openinge their grievances finding ſtill more grievance, "their own motions warm'd them, and their affections "were inflam'd by reflection on themſelves." It was not even that what he deſcribes as a ſharper ſpirit, and larger iſſues, "the danger of the kingdome, their owne par-"ticular dangers, hazarded for the pleaſure of one man," had ſo generally embittered the apprehenſion of injuries and the reſolution to requite them, that now hardly any "neutrals" were left untouched by thoſe paſſions or unſharing in that "conteſtation of affections." But what diſtinguiſhed eſpecially this time from the former, were the efforts made to win theſe very "neutrals," few as they were. Nothing, Eliot tells us, could be more broadly marked than the two ſides into which the houſe had now divided. "Thoſe whom noe privat intereſts "did move were bent wholie to complaint: thoſe whom "the court poſſeſt were as earneſt to decline it." But between them, divided by fear and ignorance, ſtood ſome in expectation of the iſſue, waiters on providence, "without reference to the cauſe, but deſiring to be with "the victors." In number they were few, "the truth "of what was urged being moſt obvious and apparent;" but though far from conſiderable in the queſtion, they were important to the reſult, and extraordinary efforts

were made on both ſides to ſecure to either ſide their adherence. In very preſence, as we read, we ſee government by party in its germ; and the firſt ſhoots of that gigantic growth which has ſince for good and ill overſhadowed England, are viſibly ſtarting up before us.

As ſoon as the houſe roſe, the canvaſſing began. What had been violent to-day, all men felt would be more violent to-morrow; and the whole of what remained of the afternoon was ſpent by the leading members and privy councillors in paſſing to and fro among the wavering and undecided, urging and preſſing them to chooſe their ſides. It was the afternoon of Friday, the 5th of Auguſt, and "either party," ſays Eliot, "in the remainder of that daie ſo labor'd the "ſtrengtheninge of their ſides. Infinitt was the prac-"tice uſ'd w^th^ all men, to ſound and gaine them; "wherein the courtiers did exceede. Noe promiſe or "perſuaſions were too much, to make one proſelyte "in that faith. Whom ambition had made corruptible, "their offerings did allure; and what reaſon could not, "hope did, then effect."

Yet the next day did not open hopefully for them. Beſides the debate on ſupply, the Montagu affair had to come on again, and was to be made even more bitter by an untimely diſcovery. It is all paſſed away now, the *Old Gooſe* as well as the *New Gag*, leaving of the very names only their deriſive ſound! but it was ſerious then as life and death to pious proteſtant men, that ſuch doctrines ſhould find ſuch favour; and that a partisan ſo reckleſs, loving popery as much as he hated freedom, and under cenſure of the houſe and the diſpleaſure of his primate, ſhould be ſelected for religious duties about the perſon of the king. The good archbiſhop attended at the bar, but could add nothing to what formerly he had communicated; * and Montagu himſelf kept away, alleging ſtill a bodily ſickneſs, and moving further the houſe's

* *Ante*, 252–57.

indignation by writing to their ſerjeant inſtead of petitioning themſelves, as became a man under penalties for appearance. Then roſe the member for Dorſetſhire, Sir Walter Erle, having papers in his hand received from certain juſtices of his county, and deſiring the houſe to take notice what kind of diſfavours as well as favours were ſhown by miniſters of the crown. Not many days before, it appeared, theſe juſtices, by a warrant of ſearch under the law againſt recuſants, had found in the houſe of a diſaffected perſon "an altar, copes, crucifixes, books, "relickes, and other popiſh ſtuffe;" whereupon, having committed the owner for refuſing to take the oaths preſcribed by the law, "a letter was ſent them from the "court, ſign'd by the ſecretarie of ſtate, requiring them "forthw^th^ to redeliver the ſtuffe w^ch^ they had taken "awaie, and to ſett at libertie the partie."* Very bitter comments were paſſed on this before referring it to the committee on the jeſuit pardons, for mention in a remonſtrance to be addreſſed thereon to the king. "It "wrought powerfullie on the houſe," ſays Eliot, "fo-"menting their jelouſie, increaſing the difficultie of "atonement, and making the conteſtation farr more "ſtrong."

In this temper the debate on ſupply was reſumed; when, after ſome ſharp ſpeaking, in the courſe of which Sir Henry Mildmay declared againſt any ſubſidy as long as papiſts were connived at, avowing his belief that indifference to religion was the cauſe of all their miſeries;

* "This," continues Eliot, "by thoſe juſtices was certified to their "freinds. They, as they thought it neceſſarie, did repreſent it to the "houſe: w^ch^, taking it into the number of their grievances, though they "did not much diſpute it, did much revolve it in the conſideration of "their thoughts, that at that time such contenance ſhould be given to ſoe "great offenders of the law; that the law muſt be control'd in the favor of "ſuch perſons; and that miniſters of juſtice ſhould receive an increpation "for fidelity to their offices and duties, and that where religion was involv'd. "Though the formal deliberation, in point of remedie and redreſſe, were "refer'd to the committee appointed for the pardon, yet the evill was then "reſented, and the cauſe not doubted to be knowne."

wherein Mr. Coryton was alſo for giving the firſt place to religion, and would have no compromiſe by ſubſidy on ſubſidy, but proceed after the old parliamentary way; and in which Sir John Cooke, urging once again that a freſh ſubſidy to be collected in April and October of the following year would not claſh with the collection of that already voted, or violate any uſeful parliamentary uſage, was replied to by Mr. Strode, who created no ſmall merriment by aſking how the two ſubſidies and fifteenths payable more than a year hence were to ſupply a fleet that was to go out in fourteen days.—Eliot roſe with a propoſition for an addreſs to the king for permiſſion to continue to ſit. He ſpoke briefly; but inſiſted that this was a point requiring to be ſettled before the vote on ſupply was taken, becauſe the means to give really depended upon it. He was followed by Sir Nathaniel Rich, the member for Harwich, who ſupported the propoſition, and with that view would have certain matters at once referred to a committee, and included in the propoſed addreſs. He then read from a paper, doubtleſs a reſult of the previous night's conſultations, five heads of ſubjects that they ought to have full time to conſider and decide on, before voting further ſubſidy; and Eliot proceeds to name theſe in his memoir, without directly ſtating that he had been concerned in preparing them, but with the remark (which may help us to a ſuſpicion on that point as well as to a reaſon why they were formally ſubmitted by another) that his connection with the ſervice of the ſtate made him more zealous to rectify its diſorders.

Religion was the firſt. So far had the boldneſs and cunning of the adverſary prevailed herein, that unleſs ſucceſsful countermine were made, no more was to be expected from their enterpriſes than happened to the Iſraelites while the accurſed thing was with them; and the king's promiſed anſwer to their petition ſhould be rendered therefore, not in ordinary conference, but "in

"full parliament, that it might be recorded in both "houſes to receave the qualitie of a law." The ſecond ſubject was the preparation for hoſtilities; as to which it was aſked, that if there were a real purpoſe for a war the enemy might be known by public declaration to that effect. The third had relation to the diſorders in public affairs, for remedy whereof a grave council was deſired to adviſe with the king. The fourth was his majeſty's revenue; which it had become neceſſary ſo to look into as to ſtop its leaks and reſtore its fulneſs, or there muſt for ever be poverty in the crown, and grievance and oppreſſion in the government. Laſtly it was urged, that all doubt as to impoſitions ſhould be cleared; for without it, no man could ſay what truly was his own, or know how to promiſe or to give. Sir Nathaniel Rich cloſed the ſtatement with which he preferred theſe demands, by declaring that in form they were ſtrictly parliamentary; that nothing was further from intention than to put them forth as a "capitulation" with the ſovereign; that in the twenty-ſecond of the third Edward the like courſe had been taken, a like petition being exhibited upon leſs reaſons from that houſe; and that in this caſe there was further a neceſſity, becauſe without ſome help therein the kingdom could no longer either ſupply the king or ſupport itſelf.

No reference of any kind, it is very obſervable, was here made to Buckingham; yet the abſence of perſonal alluſion, so far from being accepted as conciliatory by the "privados" of the miniſter, ſeems to have alarmed them as at a danger lurking or concealed. Sir N. Rich had ſcarcely reſumed his ſeat, when a connection of Buckingham's who repreſented one of the cinque ports of which the duke was lord warden, Mr. Edward Clarke, undertook to prove that what they had juſt liſtened to was only another form of the "*bitter invec-*"*tives*" they had heard launched againſt the lord high admiral on the previous day. "At which," ſays Eliot,

deſcribing the curious ſcene that followed, "being inter-
"rupted by a generall exclamation of the houſe, to
"preſerve their wonted gravitie and the dignitie of their
"membets he was cried unto the barr. Upon this he
"was w^th^drawne for the conſideration of his puniſh-
"ment, that had not more expreſſions than new waies.
"Manie delivered their opinions, and moſt, different.
"Some to have him excluded from that house, others
"for ever to debarr him. Some likewise did propound
"an impriſonment and mulct; and with varietie in thoſe
"both for the place and ſumme. Others more favour-
"able, mov'd onlie for an acknowledgement of his
"fault; and that alſo w^th^ ſome difference. Some would
"have had it acted at the barr, others but in his place.
"And ther wanted not, that would have wholie had him
"pardon'd, and perhaps that ſcarcelie thought him
"faultie. But the receav'd opinion was that which
"divided betweene theſe: not to make the ſeveritie too
"great, leaſt it might reliſhe of some spleene, nor yet
"by lenitie to impeach the juſtice of the houſe, but
"that the example might ſecure them from the like pre-
"ſumption in the future. Therefore his cenſure was, to
"be committed to the ſarjant, and ther to ſtand a pri-
"ſoner during the pleaſure of the houſe. This being
"ſo reſolv'd on, the delinquent was call'd in, who, kneel-
"ing at the barr, had that ſentence there pronounc'd;
"and ſoe the ſarjant did receave him." Thus ended the ſtrange ſcene, and the day's ſitting unexpectedly pro-longed by it; but not ſo the effect produced.*

The moderate ſection of the privy councillors went that afternoon to the chief miniſter with a compromiſe. It ſeems probable, from the manner in which it is deſcribed by Eliot, that May had brought them previously to conſult with him; but the extent to which he

* It has been frequently alleged that ſuch incidents as this of a member called to account and puniſhed for a fiery or paſſionate word, were peculiar to the Long Parliament: how juſtly the reader ſees.

entertained it, or whether at all, does not appear. It does however ſeem that the duke himſelf did not immediately reject it. The events of the three preceding days had been ſo unexpected, the tone taken ſo unuſual, the proſpect opened ſo fraught with undefined and ſcarcely definable danger, that a bolder man might have pauſed at the iſſues raiſed; and, obſerving that the houſe had not heſitated at this moment to make priſoner of one of his agents and friends, might with reaſon, as Eliot remarks, "think it neceſſary, even for "*him*; to reflect more ſenſiblie on himſelfe, and by his "neighbour's fire to thinke his houſe in danger. Cer- "tainlie all his adherents tould him it was an approach "upon his ſaftie.'

Eliot adds an outline of the propoſal and of its fate. "The advice he had was, much to indeavour an accomo- "dation w^th^ the parliament. The errors moſt inſiſted "on, were ſaid to be excuſable, if retracted. That the "diſorders of the navie might be imputed to the officers. "That the want of counſells might be ſatisfied by a free "admiſſion to the board. The greateſt difficultie was "conceav'd to reſt in religion and the fleet: for the firſt, "the jeloſie being derived from his protection given to "Montagu; for the latter, that it had ſoe unneceſſarie a "preparation and expenſe. And yet in both that ther "might be a reconciliation for himſelfe. Sending the "fleet to ſea, and giving others the command, was "propounded as a remedie for the one: having theſe "reaſons to ſupport it, that the deſigne could not be "knowne, nor, if ther wanted one, that judg'd by the "ſucceſs; and the ſucceſs was anſwearable but by thoſe "that had the action. For the other it was ſaid, that "the leaving of Montagu to his puniſhment, and the "w^th^drawinge all protection, would be a ſatisfac- "tion for the preſent; w^th^ some publick declaration in "the pointe, and a faire parting of that meeting, facili- "tating the waie to a future temper for agreement.

" Though noe deniall could be lookt for in the reſolutions " of the parliament, the fleet muſt needs goe forth to " color the preparation, and the returne might yeelde " ſomething to juſtifie the worke; at leaſt in excuſe and " apologie for himſelfe, by tranſlation of the faulte. " Thoſe and the like counſells were preſented to the " D, and wrought an inclination for the inſtante that " gave his freinds ſome hope. But thoſe that were " about him gave it an alteration in the cabanet. Soe " unhappie are great persons, to be obnoxious to ill " councells; and come by everie aer of flatterie to be " moveable, not having conſtancie in themſelves. Of w^ch " the D was a full character and inſtance; and being " uncertaine to his councells prov'd unfaithfull to him- " ſelfe. He had once determined to be guided by his " friends, but his paraſites were more powerfull;* w^ch " then increas'd his troubles, and after prov'd his " ruine."

The paraſites had a plan of their own. There ſhould be another field-day in Chriſtchurch-hall: the king not to be preſent, but the duke to play the part with the lord keeper in waiting upon him, the principal ſecretary of ſtate for ſubordinate points, the lord treaſurer for finance, and the well-known "old artiſt"† for any emergency. Honourable members hitherto had confined all the eloquent ſpeaking to themſelves, but now his grace in turn would diſplay a little eloquence and ſkill, and ſhoot ſome arrows of his own. None of them were like to miſs the mark, but there was one that was ſure to ſtrike home. " To wh^ch end," ſays Eliot, " was haſtily prepared (for all things were readie " at his beck) the king's anſwear to the petition for

* Sir Simonds D'Ewes, in a paſſage of his *Autobiography* which will hereafter be quoted, reports what Sir Robert Cotton had told him of Buckingham's habit of lending his ear to ſycophants and flatterers againſt the counſel of wiſer friends, in almoſt the exact terms here employed by Eliot.

† Sir John Cooke, ſee *ante*, 301, 348; and *poſt*, 430.

" religion, then to be preſented by his hands, as the " influence of his labor; robbing his maſter both of the " honor and the worke." That the houſe ſhould make further ſtand after a triumphant effort of this ſort; that it ſhould be able any longer to keep its " harbor'd " jeloſies " together; or have ſenſe enough to ſee through the comedy artfully and pleaſantly played before them; was not ſuppoſed poſſible. " Soe ignorant " are ſuch paraſites," continues Eliot, " in the knowledge " of great councells, that what in their weake judgments " does ſeeme probable, they thinke feaſable w^th^ others; " like conies having ſcarce a ſhadow for their ears, who " take all their bodies to be cover'd." * So it was ſettled, therefore; and the duke and his friends, being all of them in this highly expoſed condition, were to carry both houſes by an unexpected and inviſible manœuvre, at the performance to be preſented on the next day of meeting.

Scarce were they met accordingly, the commons in the divinity ſchool and the lords in the gallery above, at eight o'clock in the morning of Monday the 8th of Auguſt,—Wentworth and Fairfax having carried Yorkſhire at the new election, had entered and taken their ſeats; and there had juſt been time for Mr. Clarke, the delinquent at the previous ſitting and moſt devoted of Buckingham's followers, upon his knees at the bar and by humbleſt apology to make atonement for his offence and crave his releaſe from cuſtody, which thereon was accorded him,—when, ſays Eliot, " a meſſage was pretended from the king for a " meeting of both houſes. The occaſion intimated was " ſome generall declaration from his majeſtie, wh^ch^ being " to be delivered by the duke, the lord treaſurer, the " Lo. Conway, and Sir John Cooke, it was deſir'd

* " And ſoe is their whole time vers't," he adds, " in the corrupt ſceane " of flatterie, that in the end they practiſe it on themſelves."

" both of the lords and commons reſpectively in their " places, that their members might have licenſe for that " ſervice: the former exception.* having beene an in- " ſtruction in that pointe. The place appointed was " Chriſtchurch-hall; wh^ch being accepted, and leave " given as was deſir'd, but to the commons mem- " bers onlie as king's ſervants, all other thinges " were left, and everie man addreſt him to the " place. Some doubt there was for forme upon " the meſſage to the commons, it making mention of " both houſes; and in that caſe the Speaker muſt have " gone, and his mace been borne before him. But it " being reſolv'd that the committee onlie were intended, " that ceremonie was left."

The lords and commons by committees being thus brought together, Eliot tells us of ſome that were preſent ſmiling to ſee his reverence, the lord keeper become uſher to his grace the duke. In their relations at the time, it was doubtleſs a mortification; but the biſhop might conſole himſelf by thinking that he had ſecretly blown the coals to ſome effect againſt the duke, though with the burning of his own fingers, and even the ſhabby part at preſent aſſigned to him he could gloze over with a ſhow of dignity.† After informing the committees that the duke was about to deliver to them his majeſty's anſwer in the matter of religion, and ſome other things of ſpecial importance, he added that " this " he was, *by the king's command*, to intimat. Wh^ch," Eliot interpoſes, " ſome beleev'd; and noe man doubted " of the meaninge. All men did ſee it ſtudied for pro- " tection and redintegration to himſelf out of bitterneſs

* See *ante*, 348–9.

† We have already ſeen that Eliot, in another part of his MS (*ante* 331), ſpeaks of the miſchief Buckingham brought upon himſelf by this quarrel with Williams and his friends; to what deſperation they were driven for preſervation of themſelves; what gall and vinegar they infuſed into the humour that was ſtir'd; " and, by their privat inſtruments blowing the " coales then kindled, added alſoe more fewell to the fire."

"to follow. It was as a fomentation to an oyntment, "or like to pills that have ſome ſweetneſſe over them to "make their reception the more eaſie." Everyone knew, in ſhort, that this freſh exhibition at Chriſtchurch was entirely got up by Buckingham and his people; that he had inyented the buſineſs, dreſſed the actors, and with his own hand made up the nauſeous pill of which that ſugaring and ſwallowing by Williams formed the comedy's opening ſcene.

Main contriver, and principal actor, the duke followed. Profeſſing that he had neither rhetoric nor art, and therefore it fell fitly on him to ſpeak for a king who deſired to deal plainly with his people, he directed the petition for religion to be read, and then, paragraph by paragraph, intimated his majeſty's aſſent thereto, and that he ſhould take means to comply with its requeſts. The words were very fair, ſays Eliot, but the ſpeaker ſpoiled the effects. "Whatever might be promis'd in "the words, the act of deliverie did impeach itt; and "much of the hope and expectation in that pointe, the "forme and circumſtance did obliterate."

The duke's next ſubject was the ſtate of affairs in chriſtendom at that moment of time, which, after declaring to be little ſhort of a miracle when contraſted with what it was at the meeting of the laſt parliament, he proceeded modeſtly to aſcribe to the counſels and reſolutions he had himſelf "the honor and happineſs" to preſent to that parliament. At that time the king of Spain went conquering on, and all the world deferred to him. He was maſter of Germany, the Palatinate, and the Valtoline. But now the Valtoline was at liberty, war raged in Italy, the king of Denmark had a conſiderable army, the king of Sweden was declaring himſelf, the princes of the Union were taking heart, and the French king, leagued with Savoy and Venice, was fighting Spain. A flouriſhing picture indeed, which might well have impreſſed the country gentlemen! But we obſerved

in it, ſays Eliot, "many things of arrogance; uſurping "to himſelfe the worke which time and providence had "effected, and turning fortuities into glorie. Those "things had noe rèlation to his projects but in the con- "currence of the time. The French preparations mov'd "on other reaſons of their owne that embroil'd them with "the Spaniard. With France the duke of Savoy and "the Venetians had joyn'd for their owne intereſts and "ſafties; and it was their worke, and in contemplation "of themſelves, by w^ch^ the Valtoline was ſet at libertie. "And if the king of Denmarke did declare, or Sweden, "who was then ſcarcelie heard of (*ſoe envious was time "unto the honor of that perſon whom Fortune and Virtue "had reſerv'd for the wonder of the world*),* yet it was "known to be in affection to the Palsgrav, though at "the inſtance of his friends; not induc'd by him or anie "opinion of his meritt, wh^ch^ moved as little w^th^ the "other German princes."

Matters of complaint againſt himſelf and his majeſty were next taken in detail; the duke premiſing that if he ſhould give ear or credit, which he did not, to rumour, then might he ſpeak with ſome confuſion, but that he recovered courage and confidence when he conſulted the integrity of his own heart to the king and ſtate. His courage was greater than his confidence could have been, however, when he came to ſpeak of the ſhips ſent to Rochelle. He had ſufficient boldneſs to ſay deliberately that the ſhips *would not* be employed againſt the huguenots,

* This is one of the paſſages that determine the date of Eliot's MS; proving it to have been written amid the victories and yet living fame of the Swediſh hero. Guſtavus fought his great battles againſt Tilly and Wallenſtein between 1630 and 1632, and fell on the field of Lutzen on the 6th of November in the latter year, exactly three weeks before Eliot periſhed in his priſon. "Never," exclaims D'Ewes, writing ſoon afterwards, "did one perſon's death in chriſtendom bring ſo much ſorrow to all the "proteſtant hearts; not our godly Edward's the ſixth of that name, nor "our late heroic and ineſtimable prince Henry's; as did the king of "Sweden's." (*Autobiography*, ii. 86.) One could have wiſhed that Eliot might have been ſpared the ſorrow.

but he did not venture into any detail. It was not always fit, he remarked at this point, for kings to give account of their counſels. Lookers on were to judge the thing by the event. While we heard this, ſays Eliot, we had "preſent newes from Rochelle, w^ch^ we had alwaies "aided; that our owne ſhips *were* intended againſt them, "and our owne arms to be turn'd againſt our freinds."

The Olivarez buſineſs * was handled in a more daſhing and deciſive vein. No cauſe had he to hate Olivarez, who, in making him popular throughout England, made him happier than all the world beſide, *gaining him a nation.* He could forgive his enemies. He would leave that buſineſs aſleep, which, if it ſhould be wakened, would prove a lion to devour the author of it. He meant one of their own nation † who acted for the Spaniard. But this lofty ſtrain was not reckoned ſucceſsful, on the whole. It was flying too high for the effect deſired. "The expreſſion that he had gained a "nation," remarks Eliot, "was ſoe boaſting and thra-"sonicall, that it ſeem'd moſt ridiculous; as if nations "had beene the game and plaie of favorites, who "wonne or loſt them after their fortunes or their "ſkills."

Nor was he more happy in other alluſions, as to which it will ſuffice for the reader, and not be unjuſt to the orator, to give merely the comment accompanying them in Eliot's manuſcript. "The mention of his owne "approbations and applauſes, was thought too neer self-"flatterie not to drowne the reputation of their truth. "Many inſolencies beſides were obvious that had as ill "acceptance. As that where he ſumm'd up the whole "buſineſſe of our meetinge, pretended to be an invita-"tion from the king, by calling it an accompt of his "owne actions. And that other ſtating his preparations "att his going into France, where he made, as it were, the

* See *ante*, 111, 118–119.

† Lord Briſtol. See *ante*, 112.

" king his deputie in his abſence to intend the progreſſe " of the worke. And that intimation for his enemye at " home, that he could prove a lion to devour him. " And that, as raſh and indiſcreet, wher he rancks the " marriage of the queen w^th^ thoſe he ſtyles the unfor- " tunat accidents of that time. All which ſeemed too " inſolent and preſuming. And ſoe manie thinges were " judg'd imperfect in his answears, that manie ſcruples " more were raiſ'd than his indeavor had reſolv'd."

The comedy had failed, in ſhort; nor was it poſſible that it could have ſucceeded. Everything ſaid by Buckingham bore ſo vividly and excluſively the ſtamp of perſonal vain-glory, that the leaders of the commons could not have deſired a completer juſtification of the courſe they had purſued. No grievance being admitted, and no faulty adminiſtration confeſſed, there was of courſe no word of remedy or redreſs, of guarantee or ſecurity for the future. We have ſpent ſo much money, and want ſo much more; here are our accounts, and there is what we have done; ſupply us, and you ſhall ſee what hereafter we will do for you. Such, with the addition of aſſurances about religion in which no man believed, was the ſubſtance of the duke's ſpeech, and of the accounts of expenditure with which the lord treaſurer, Conway, and Cooke ſucceeded him, and which were carefully conſtructed to throw no light on what parliament had an intereſt in knowing.* That was what the picked men of the two houſes had been brought together to liſten to.

To put in contraſt, however ſlightly, the audience and the actor, is to perceive that agreement had ceaſed to be

* The kind of light they did throw, and the ſupreme financial ſubtlety of the duke and his accountants, may be judged by one of the remarks made by him upon the great ſuperiority of fitting out naval expeditions, and creating a military diverſion that way, over the plan of ſubſidiſing continental allies by money payments. " By this kind of war you ſend no coin out of " the land; you iſſue nothing but beef, mutton, and powder; and the " kingdom is not impoveriſhed but may make good returns." Beef, mutton, and powder are of courſe mere nothing, and grow of their own accord.

poſſible. Among that audience were men of the firſt rank in England by wealth and birth, and in ſtateſmanſhip and intellect having no ſuperiors in the world. Their bittereſt opponents have conceded to them the poſſeſſion of the moſt uncommon capacity and the largeſt views; have deſcribed them as animated by a warm regard to liberty; and never have denied their various attainments, their aſpiring genius, or their independent fortunes.* On the other hand was a man ſprung to power upon "no other advantage or recommendation "than the beauty and gracefulneſs and becomingneſs of "his perſon;" † exerciſing it confeſſedly as favourite to the king, rather than as ſervant to the ſtate; holding in his ſingle perſon the higheſt offices of the realm; and aſſuming a right to tell theſe parliamentary leaders, as in ſubſtance he did, that if a parliament was to continue to ſit in England, it muſt act with him, and follow only where he was ready to lead. It would be idle to ſay that Buckingham had not many fine qualities, as well as

* See Hume's *Hiſtory*, Charles I. cap. i. In the ſame paſſage the philoſopher, even in misſtating the caſe, makes a very candid admiſſion. "It "was neceſſary to fix a choice: either to abandon entirely the privileges of "the people, or to ſecure them by firmer and more preciſe barriers than the "conſtitution had hitherto provided for them. In this dilemma, men of ſuch "aſpiring geniuſes and ſuch independent fortunes could not long deliberate. ". . . The end they eſteemed beneficent and noble; the means, regular and "conſtitutional." There may be ſome little truth alſo in what Hobbes ſays in his *Behemoth* of the parliamentary leaders, that "beginning to ſearch the "ſenſe of the ſcriptures as they are in the learned languages, and conſequently ſtudying Greek and Latin, they became acquainted with the "democratical principles of Ariſtotle and Cicero, and from the love of "their eloquence fell in love with their politics."

† Clarendon, *Hiſt.* i. 13. "I ſay," he adds, "that his firſt introduction "into favor was purely from the handſomeneſs of his person." And the ſame authority in another place tells us: "The eyes of all ſuch as either "look'd out of judgment, or gazed out of curioſity, were quickly directed "towards him, as a man in the delicacy and beauty of his colour, decency "and grace of his motion, the moſt rarely accompliſhed they had ever "beheld; whilſt ſome that found inconveniences in his nearneſs, intended "by ſome affront to diſcountenance his effeminacy, till they perceived he "had maſked under it ſo terrible a courage as would ſafely protect all his "ſweetneſſes." Clarendon's 'Diſparity,' in *Reliq. Wott.* 194.

ſuperb accompliſhments. He had more of the ſplendour of oſtentation than of a large or liberal generoſity; but he did not care for the money he laviſhly and wickedly waſted, and he had that dauntleſs courage which exerciſes an extraordinary charm when found beneath an exterior almoſt handſome as a woman's. He is the only inſtance in our hiſtory of a man arriving at the ſummit of power without either qualities to command or a ſtruggle to obtain it;* and the conſideration that it was literally thruſt upon him, may plead for many imperfections in the uſe of it. But it is alſo in another ſenſe deciſive againſt his capacity. He had the defects of inordinate vanity, of a will that ſuffered nothing to reſiſt its unbridled indulgence, and of a nature that could never expand or enlarge in a degree correſponding with his elevation and opportunities. The favour of kings had only lifted him out of reach of the equalities of friendſhip. Both Clarendon and Wotton ſay that he wanted friends to adviſe him; and this is only another form of what is ſaid by Eliot, that he preferred to take advice from paraſites rather than from better counſellors.† Hence he never got beyond the court or underſtood the people,

* "As if he had been born a favorite, he was ſupreme the firſt month he "came to court." Clarendon's *Hiſt.* i. 56.

† "Delighting," Wotton himſelf ſays, "in the preſs and affluence of "dependants and ſuiters, which are alwayes the burres and ſometimes the "briers of favourites." Parallel in *Reliq. Wott.* 183, ed. 1672. It is worth adding Clarendon's remark. "His ſingle misfortune was (which "indeed was productive of many greater) that he never made a noble and a "worthy friendſhip with a man ſo near his equal, that he would frankly "adviſe him for his honor and true intereſt, againſt the current, or rather "the torrent, of his impetuous paſſion." *Hiſt.* i. 55. Sir Simonds D'Ewes has a remark (*Autobiography*, i. 388) which he tells us he derived from one with whom Eliot was always in cloſe and friendly intercourſe, and which is expreſſed in almoſt the very words employed in Eliot's memoir. Obſerving that nothing was ſo uſual with Buckingham as to have taken a fair and good reſolution, and then to be "preſently trans-"verſed and overruled by ſycophants and flatterers," he ſays: "I have "heard Sir Robert Cotton affirm that perſons of that kind, of which moſt "were young indiſcreet gentlemen, had ſo prevailing a power with him, "as was contrary often to thoſe ſafe counſels he had received from wiſe men "of great experience."

could never truly diſtinguiſh between the frivolous and the great or aſſign to them their proper proportions, but remained to the laſt a mere king's miniſter. To a ſtatesman in his place, the tranſition from the old to the new reign would have ſuggeſted much; but that the gentlemen of the houſe of commons were become more troubleſome, was all it ſuggeſted to him. That the age for favourites was paſt, and that ſort of government at an end, he could never ſee; and the ignorance was his doom. Unintelligible would have been to him what Eliot ſays to us,* of the old genius of the kingdom reawakening; and ſtill more ſo to have ſaid to him, when he ſpoke of gaining a nation, that he had then of himſelf done much to overthrow all further governing without regard to the nation. Even during this ſitting of the parliament at Oxford he had received a ſharp leſſon; and its effect upon him had not been to ſhow him his danger, but to put him upon another kind of exerciſe of his ſkill. He meant to have broken the houſe of commons before their debates began, and had as little doubt of being able to do it now that they had ſaid their ſay.

Upon only one point he was driven to change his courſe. The deſtination of the fleet had been ſettled from the firſt between himſelf and the king; and the trick of concealing it from both council and parliament, as well as of withholding a declaration of the enemy, was but part of a planned deſign, having in it, as will ſhortly be ſeen, very little of the ſtateſman and very much of the buccaneer. But though he could ſtill keep up the ſhow of myſtery, and, as Eliot as it, with ſcarce a covering for his ears ſuppoſe his whole body under ſhadow, he dared no longer, after the queſtioning in parliament and the replies made, interpoſe further delays to the employment of the fleet in its deſign, whatever that

* *Ante*, 219.

might be. He told the committees therefore, that it would ſhortly ſail, under a commander to be immediately appointed; for to that ſuggeſtion in the otherwiſe unſucceſsful advice of his fellow-councillors,* he had found it convenient to give way. But even this was not announced without offence. It will be remembered that upon the diſſolution of the treaties in James's laſt parliament a council was named, reſponſible to commiſſioners of the commons that all diſburſements ſhould be in furtherance of the ſtrict objects of the war, and required to give previous ſanction to every ſtep in the conduct of hoſtilities taken by the executive.† That this condition had been violated by Buckingham in reference to the expedition in hand, there was no doubt. Nevertheleſs, in now ſtating that it was immediately to ſail, he made ſuch a ſhow of having received for it the general ſanction and approval of the council of war as to elicit a moſt damaging denial from, and to make formidable addition to his own ſubſequent aſſailants in the perſon of, a member of that council who held not leſs high a rank than that of vice-admiral of England, and himſelf the moſt diſtinguiſhed naval officer of the day, Sir Robert Manſel.

The old ſeaman was not indeed preſent in Chriſt-church-hall, but he was to hear on the following morning of the uſe of his authority and name. The afternoon was ſo far waſted at the cloſe of the conference that the committees did not return to their reſpective houſes that day. They broke up, to meet again at eight in the morning of Tueſday the 9th of Auguſt; and in what reflections the interval was paſſed is deſcribed by Eliot in a few ſentences, which form not the leaſt ſtriking page of his manuſcript.

* *Ante*, 390.

† See *ante*, 158, and note. In the note I have to requeſt the reader to make an alteration. Mr. Brodie has not "given" the examples mentioned, but only referred to them.

" In the meane tyme those paſſages were revolv'd that " had been deliver'd at the meeting, and divers were " the apprehenſions w^ch^ did followe them. That the lo: " keeper, the prime officer of the kingdom, ſhould be " made ſubſervient to the D (for soe the act imported, " being but an uſher to his buſineſſe), was thought " prepoſterous and inverted. That the king's name " muſt be a ſervant to his ends, under color of ſome " declaration from his maj^tie^ to exhibit an apologie for " himſelfe, ſeemd as a kind of wonder. That the whole " parliament ſhould be made attendant upon him, was not " w^tn^out a ſtrangeneſſe, the like having ſeldom beene " before. But above all portentous it was thought, that " religion ſhould be deſcended to his uſe, and that w^ch^ " admitts noe equall or compeer to troope up with the " rabble of his followers. This was thought much in " him ſoe to aſſume and take it, but more in thoſe that " made that conceſſion to his power."

VI. The Serious Afterpiece.

Reports from the committees of the ſpeeches of the previous day occupied the morning of Tueſday. This formal buſineſs done, the members were addreſſed in eager ſtrain by the treaſurer of the houſehold, Sir Thomas Edmundes, who thought they could not now any longer heſitate, after ſo gracious an anſwer in the matter of religion, to think of a ſupply. Heſitation there was however, for none of the leaders roſe to ſpeak. But a man very famous afterwards as Serjeant Maynard, now member for Chippenham, got up to ſay that he did not like naval expeditions againſt unknown enemies, yet, if there were an open war and an enemy declared, none would more willingly give than himſelf, ſince giving was adding ſpurs to the ſea-horſe. As matters ſtood, he did not ſee how they were to give. A ſubſidy upon a ſubſidy in the ſame ſeſſion was without a precedent,

and a ſubſidy in reverſion they would find to be of dangerous example. Hereupon ſtarted up another lawyer, Mr. Mallet, "in haſte to purchaſe ſome credit "by devotion," and in his haſte employing an argument trivial enough, but having ſome remarkable reſults. He reaſoned by a precedent againſt precedents. Precedents were at the diſcretion of all times, he ſaid. That bill of tonnage and poundage they lately voted they had limited to a year, which divers ages paſt had been conſtantly for the ſovereign's life. The grant that had begun it firſt for life was alſo a varying from its elders, which had been limited, and that diverſely. From this he inferred change and alteration to be applicable to all times, and that the precedent of one was not the practice of another. In the caſe before them he would counſel them, therefore, to uſe the like liberty as their fathers. "W^ch I obſerve the ſooner," ſays Eliot, "for the qualitie "of the man: * that he whoſe profeſſion was the lawe, "and on w^ch ground he built all the good hopes he had, "ſhould argue againſt precedents, w^ch are the tables of "the lawe; and ſoe, unlawlike, terme everie act a prece- "dent, making noe difference between examples and "their rules."

Mr. Mallet had in any caſe made a remark not helpful to the object he had in view. Nothing was then ſaid in reply to him, for the hour was late, and an adjournment was immediately moved; but throughout the following day, and for what remained of the brief life of this parliament, precedent after precedent in complete array poured forth, as the armed men ſprang beneath the feet of Cadmus. One might fancy that the leaders had ſpecially aſſembled after Mr. Mallet's ſpeech to produce and compare their precedents with each other, and arrange them for immediate uſe. Nor is it improbable

* Mallet was a man of ſome note in his profeſſion, and reader at the Temple when D'Ewes was in the habit of attending. (*Autobiography*, i. 296.) He died early.

that at leaſt two of the leaders did ſo. Already Eliot had been working with Sir Robert Cotton in preparation for the debate of to-morrow, and we ſhall ſee with what reſult.

Mr. Mallet, it will have been obſerved, took againſt the value of precedents the ground of their occaſional diſagreement with each other, and here he is anſwered ſufficiently by Eliot's brief comment. To this lawyer it did not occur in thoſe old times, as to philoſophical hiſtorians ſince, to take the ground of denying to the ſeventeenth century its competence to guide itſelf by the acts of the fourteenth and fifteenth. Nor will plain reaſoning as to this be ſo likely to miſlead as philoſophy. The very alterations of time make up the conſtancy as well as progreſs of the world. The men who, under the Richards, Henrys, and Edwards, governed England in our national aſſembly, not more truly, with their armed retainers at their back, repreſented and embodied the people in whoſe name they ſtruck down favourites and ſhifted the crown from princes, than the knights and burgeſſes of the later day whom the changes of centuries had made depoſitaries of the ſame ſupreme power. When the third parliament met, it was eſtimated that the commons might have bought up the lords thrice over, "and what lord in "England would be followed," aſks the writer, "by ſo "many freeholders as ſome of theſe are?" * Principles are not to be ſwamped by time or viciſſitude, or we ſhould have loſt our liberties long ago. It is their nature to expand to every needful occaſion; and words which at the opening of the thirteenth century dealt only with feudal relations, the freemen of the middle of the nine-

* Letter in the Brit. Mus. MS. 21ſt March, 1627–28. It has been printed from the Birch tranſcripts in the *Court and Times of Charles I.* Sanderſon in his *Life of Charles* ſpeaks of the alleged threefold value of the eſtates of the commons, even then affirmed publicly, as "beyond due "proportion;" a modeſt phraſe for ſo violent a partizan.

teenth century acknowledge ſtill as the charter of their freedom. Nay, from them may be drawn, even yet, additional ſecurities; and for a future age it may be reſerved to expound, and make practically uſeful to its entire extent, one of Selden's pithieſt and moſt pregnant ſayings: "If Magna Charta were fully executed, "as it ought to be, every man would enjoy his liberty "better than he doth." It is in any caſe very probable that he who has faith in precedents, unlike Mr. Mallet, and learns from them to ſtudy and venerate the paſt, will be all the more able to guide himſelf through preſent danger, and in no degree likely to act in it or judge of it more dependently. It was Philips who ſaid to Coke, on a memorable occaſion, "If there be no pre-"cedent for this, *it is time to make one!*"

The debate of Wedneſday the 10th of Auguſt, an eventful day which was to ſettle and unſettle much, was opened by a meſſage from the king, delivered by the chancellor of the exchequer. The councillors, taking alarm at the previous day, had thought to expedite matters by a touch of regal impatience. His majeſty therefore intimated to his faithful commons, that, taking knowledge of their deſires to reform many things for his ſervice, he was well pleaſed with the intention, but deſired them to conſider that the time now was only fit for preſent neceſſities. The fleet ſtayed their reſolution; and if the plague ſhould fall into navy or army the action were loſt, or if they ſhould themſelves be touched by the ſickneſs they muſt abruptly ſeparate. Would they, then, ſupply his neceſſity for ſetting forth the fleet; becauſe otherwiſe he muſt take more care than themſelves for their ſafeties, and do as he might in ſuch an extremity. But if they would ſupply him, he promiſed they ſhould meet again in winter, when he would do whatſoever belonged to a good and gracious king; and he deſired them to remember that this was his firſt requeſt to them.

We knew well what this meant, ſays Eliot; we knew it was employed becauſe the lord admiral's conference had failed, and that its ſcope was to preſs excluſively the reſolution to give, to "prevent the conſideration of "grievances or matters of ſtate, and by a deniall of "supplie to color the diſſolution of parliament." But as this was diſcovered clearly, the more ſettled was the reſolution, "not to denie to give, but to ſhow firſt the "neceſſities of the kingdom, and the ill councels for that "meeting." It was upon the inſtant determined, therefore, to prepare a counter-declaration or remonſtrance, in all obedience and loyalty promiſing to afford in due time neceſſary ſupply, but claiming of right to deal with abuſes and grievances, and ſetting forth the ſupreme urgency for preſent reforms and the reaſons thereof.

The maſter of the wards began the debate in a "long "compos'd oration." Having been formerly public orator at Cambridge, and repreſenting that univerſity in the commons, Sir Robert Naunton thought it his duty on this occaſion "to render ſome demonſtration of his "ſkill; but found that the could rhetoricke of the "ſchooles was not that moving eloquence w^ch^ does affect "a parliament. His labor was more than his ſucceſſe. "Paſſing a long preamble, he firſt ſpake of the manner "of the guift, and then made his perſuaſions for our "giving in what he perchance intended for a figure,* "but others conceav'd to be irregular and prepoſterous. "In this manner he propounded readineſſe and free-"neſſe; qualities, as he ſaid, that would be a doubling to "the guift, endear the curteſie, and heighten the obli-"gation and our thanks. For a kindneſſe got with "difficultie, he ſaid, *ſatis eſſe ſi tali auxilio ignoſcas.* "For the guift, he urg'd divers topicks to induce it: the "honor of the king, the reputation of the kingdom, "defence of their allies, support of the union, preſerva-

* "Hyſterologia" Eliot writes in the margin.

" tion of religion, and the ſafties of his majeſtie, the " nobilitie, and themſelves; w^ch^, he concluded, if they " prevail'd not in that caſe, muſt be eſteem'd a pro- " digious ſign and omen of ſome great judgment neer " at hand."

Sir Roger North, who repreſented one of the Suffolk boroughs, followed in the ſame tone; with the addition that he profeſſed himſelf to have been highly delighted by the lord admiral's eloquence the previous day, and thought that, having proved himſelf to be ſo capable of his place, and ſo well-declared a logician, rhetorician, and charitable man, they really ought to abate the jealouſies that were had, and give. This was a ſtyle of reaſoning which another of the court ſpeakers, Mr. Drake, the member for Lyme, improved upon by aſking whether everybody would not be eager to give in caſe of an invaſion; from which he inferred, Eliot drily adds, " that the contrarie being meant, the reaſon of contraries " ſhould perſuade them. Such," he continues, " was " the logicke of the court. But thoſe ſophiſtries and " ſophiſters, if they were worthie of that name, were not " ſoe much anſwear'd, *as confounded*, by what then " followed."

Philips at laſt addreſſed the houſe, and appears indeed to have ſpoken with ſurpriſing power, and a correſponding effect. Invaluable to us would have been the manuſcript by Eliot, if it had preſerved for us this ſpeech alone. " When formerly they had given, he began, they had hopes and expectations for the country. What had they then? Nothing but diſcouragements. Pardons to jeſuits, protections to papiſts, exanition of the laws, increpation of good miniſters, interruptions of trade, loſſes and ſpoils by pirates, and, notwithſtanding complaints often made and means for remedy at hand, no relief gotten, no ſuccour to be had! Was it not known, notwithſtanding what ſo lately had been ſaid to them, that with ſubſidies given for relief of the Palatinate, their

ſhips were now bound againſt Rochelle? An addition to ſupply, with the kingdom ſuffering ſuch grievances, would be to make addition to every grievance. When laſt they went to their counties, it was with prayer and faſting; but after ſuch a vote, they might take up ſack-cloth and aſhes in their journey.

And what were the arguments for giving? The lord admiral at the conference had put them upon two heads; of honour, and of neceſſity. To the firſt he had to ſay, that the honour of a king ſtood not in acts of will, but on deſigns that were grounded by advice, and a conſtant application of good counſels. Whatever the iſſue *then*, the judgment and direction might ſtand unimpeached. To the neceſſity he replied, that it was the common argument addreſſed to parliaments, and experience muſt guide them. When had the argument been pleaded in paſt times with ſo much urgency as when employed for mere ſatisfaction of the courtiers? If it were real now, it was the court that made it ſo. Their luxuries and exceſſes had firſt waſted the treaſures, and then expoſed the honour of the king. Yet would he not deny to give. Only he would firſt have anſwer rendered to his majeſty, with a remonſtrance of their reaſons for the work of reformation, to the preparation whereof a committee ſhould be ordered; and he would have a member of their houſe called to ſpeak to the deſign and preparations in hand. At the conference they had been told of advice taken with the council of war, and that nothing had been reſolved without ſanction of its members. Let Sir Robert Manſel, then, be there commanded to render his knowledge for the action towards which they were aſked to give. Let him ſay whether it *had* proceeded by good deliberation and advice, worthy the honour of the ſtate, and ſuch as had been pretended.

The worthy gentleman who objected to precedents would forgive him, if he now, in ſupport of the claim he was

making to have grievances conſidered before ſupply was granted, deſcended to note examples of old times, ſome of their own, ſome out of other nations. At home he found, in the days of Henry the Third, a ſupply demanded was refuſed, without a confirmation of their liberties. There was alſo, in a later reign, that of Henry the Sixth, a duke who engroſſed the favour of the king, who aſſumed to himſelf the entire government, who diſpoſed of honours, who alienated crown lands, and who had ſingly negotiated a marriage for his maſter; but becauſe of thoſe acts, he found it written in the ſame records, ſubſidies being aſked for were in like manner refuſed, until he who before had had the applauſe of parliament then received their cenſure: whereupon, the reformation being ſo begun, a ſupply immediately followed it. The like had occurred abroad. All times, all ſtates almoſt, could witneſs it. In France, when the Black Prince had taken the French king priſoner, the eſtates being then convened, and the dauphin demanding a relief for redemption of his father, the grievances of the people were exhibited, and, delay being made in redreſs, the aſſiſtance wiſhed for was denied until the eſtates were amply ſatisfied. Thus alſo was it in Spain, when, during the war againſt the Moors, a parliament having been aſſembled at Toledo and an aid demanded for the ſervice, the Conde de Laro ſtood up and diſſuaded contribution in that caſe until the people's burdens were releaſed. So much accordingly was inſiſted on; nor was it held, even by that ſupercilious ſtate and nation, any breach of faith or duty. Very impreſſive were the words with which Philips cloſed his brave and manly ſpeech.

"England is the laſt monarchy that yet retains her "liberties. Let them not periſh now. Let not poſterity "complain that we have done for them worſe than our "fathers did for us. Their precedents are the ſafeſt ſteps "we tread in. Let us not now forſake them, leſt their "fortunes forſake us. Wiſdom and counſel made *them*

" happy, and the like cauſes now will have for us the " like effects."

Sir Humphrey May roſe after him. He was the only man that could hope to make any ſtand after the great ſpeaker on the popular ſide, and having, ſays Eliot, " preſt his whole faculties to the ſervice, he de- " livered himſelf with much art." He made indeed an excellent ſpeech; of which the defect however was, that beſides avoiding, as it ſeemed purpoſely, Philips's facts and precedents, it failed of what avowedly it propoſed in not even touching his argument for their worth and value. Equally wiſe in view it might be, and as forcible; but it did not make Philips's view leſs ſo, and it left his examples unaſſailed. It was merely the reverſe of the medal; and the firſt to ſay aye to the well balanced figures and ſentences that formed the greater part of it, might have been Philips himſelf.

" Let no man," ſaid the chancellor of the duchy, " deſpiſe the precedents of antiquity; let no man adore " them. Though they are venerable, yet they are not " gods. Examples are ſtrong arguments, being proper; " but times alter, and with them, oft, their reaſons. " Every parliament, as each man, muſt be wiſe with his " own wiſdom, not his father's. A dram of preſent " wiſdom is more precious than mountains of that which " was practiſed in old times. Men of good affections " have been known to give ill counſels. So they may " now, if nothing but examples do perſuade them. If " we go this way, I muſt ſay, as the children of the " prophets, *mors eſt in ollâ.* Were all our enemies here, " and had their voice in this aſſembly, would they not " ſay— *not give?* Let us not therefore be guided by " their rules; but, leaving other things of difficulty, " leaving fears, jealouſies, and diſguſts at home, and " relying on the promiſe for the next meeting to reform " ſuch things, let us yield to the king's requeſt, and at

" this time give; becauſe, if we give not now, we can-
" not give again."

Eliot had been watching the turn of the debate with unuſual reaſons for intereſt. Up to this time it was doubtful whether or not he meant to ſpeak; and a ſtriking proof of his familiarity and friendſhip with Sir Robert Cotton is afforded by what enſued. To that great ſcholar and antiquary the public men of this time were under priceleſs obligations for an unlimited freedom of acceſs to his matchleſs manuſcript collections.* Without him, it will not be too much to ſay, the ſtruggle now beginning could not have been ſucceſsfully cloſed. From his books and manuſcripts, which formed the germ and are ſtill the nobleſt part of our national

* There was hardly a man of that generation who had in hand any literary work, from Raleigh downwards, who has not left on record his thanks to Cotton for aſſiſtance he could have drawn from no other ſource. Wonderful is the variety of applicants, and not leſs ſo the ſatisfaction of each. Doctor Dee of Mancheſter gets help in his dealings with the worlds of ſpirits and ſciences, as Richard Verſtegan for his toils among Engliſh antiquities. Bodley gets books which he had elſewhere vainly ſought for Oxford, Arundel receives manuſcripts he had to no purpoſe hunted for abroad, and Bacon ſupplies himſelf with " precedents and anti-
" quities from the good Sir Robert Cotton's collections." Biſhop Bedell applies for abbey rolls, Patrick Young for Alexandrian letters, the Engliſh nuns of Cambray for books for their convent, and Selden for the Talmud of Babylon. The prodigious learning of Uſher for his *Antiquities of the Britiſh Church*, and the ingenious reſearches of Carew for his *Survey of Cornwall*, are alike ſatisfied by what Cotton ſends. As for Camden, Speed, and the other great workers of that time in Engliſh hiſtory, their wants are as inceſſant as the ſupply is unvarying, and in each caſe ſufficient. A volume might be written on ſuch ſervices of Sir Robert Cotton to men of letters and learning. Let me add that the ſtory to be told in it of the labour and conſcientiouſneſs with which men went about their work in thoſe days, whatever the character of it might be, but moſt eſpecially when it involved matters of fact and hiſtory, would ſurpriſingly contraſt with the idleneſs, careleſſneſs, and inexactneſs of inquirers in later time. Mr. Hume's moſt flagrant misſtatements could not have been made if he would have troubled himſelf a little oftener to leave his ſofa, and mount the ladder, in the advocates' library; and what Mr. Nicholas Harding ſaid of his *Hiſtory* when the firſt (Stuart) portion of it appeared, that the journals of the houſes would ſettle his facts, is applicable ſtill to many others as well as to him. Harding was the clerk of the houſe of commons of whom Horace Walpole ſaid that he had the hiſtory of England at the ends of his parliament fingers.

library, were drawn the precedents by which excluſively the commons were guided up to the achievement of the petition of right. From his ſmall houſe in Palace-yard were unrolled, in gradual ſucceſſion, the ſtatutes and records that were held to be the title deeds of Engliſh freedom; and there, for the firſt five years of Charles's reign, as in what Milton grandly calls a ſhop of war, were "anvils and hammers kept inceſſantly working, "to faſhion out the plates and inſtruments of armed "juſtice in defence of beleagured truth." Nor to any of thoſe gallant armourers does the good antiquary ſeem to have taken more kindly than to Eliot. More than twenty years difference of age, and a wider difference of temperament, made no change in the kindly and affectionate intercourſe which to the laſt he and Cotton maintained, to which his memoirs and papers in many ways teſtify, and of which the incident now to be told offers an illuſtration of even curious intereſt.

At firſt it was Cotton's intention to ſpeak in the debate, and with that view he had collected precedents. But, though he had taken not unimportant part in former parliaments, when his experience and learning were appealed to, he never was an attractive ſpeaker; and a natural heſitation in him had increaſed with age. "His tongue," ſays D'Ewes, "being unable to utter his "inward notions faſt enough, it would often enforce him "to a long ſtuttering when he endeavoured to ſpeak "exceeding faſt." * This, helped probably by ſome of thoſe ſcholarly miſgivings which unfitted him for participation in the ſtruggle as it grew hotter and more exciting, leading to his after-countenance of the loan and to his defeat in Weſtminſter when he ſought to repreſent that city in the third parliament, would ſeem to have determined him now not to ſpeak; for he certainly abandoned his original purpoſe and handed over to Eliot the prece-

* *Autobiography*, ii. 39.

dents he intended to have uſed. Eliot uſed them with deciſive effect; and the ſpeech in which he did ſo, and now firſt to be printed as his, is not only reported by him in his memoir, but has been found by me among other papers at Port Eliot in his own handwriting.

Strange to ſay, however, almoſt the whole ſubſtance and much of the expreſſion of this ſpeech have already been printed in the parliamentary hiſtories, and in many places ſince reproduced, as delivered by Cotton;* a miſtake probably originating in the circumſtance that a draft of the ſpeech, as originally to have been spoken by himſelf with matter ſuggeſted by Eliot, had been found among his papers when Charles's ſeizure and cloſing of his library broke the old man's heart, and was publiſhed by Howell in his *Cottoni Poſthuma*, two years after Charles's death. Another preciſely ſimilar

* *Parl. Hiſt.* vi. 367–372 (ed. 1763); *Parl. Hiſt.* ii. 14 (ed. 1807). Theſe hiſtories are, for the moſt part, ſuch a maſs of incorrectneſs and confuſion that without corroborative matter they are ſeldom reliable; and unfortunately even the *Journals* themſelves, though it is generally poſſible to obtain out of them the drift and purpoſe, as well as the exact date, of any diſcuſſion they record, preſent ſuch inceſſant blanks, and ſo often omit altogether the bareſt mention of ſpeeches and ſpeakers and even ſubjects diſcuſſed, that they are never wholly reliable. Thus the fact of their omiſſion of Cotton's name in the debate where he was ſuppoſed to have ſpoken, could not have been accepted as evidence rebutting the ſuppoſition, though the preſence of his name would ſtrongly have favoured it. The Parliamentary Hiſtories, however, beſides omiſſions of that kind, have confuſed matters ſtill more by jumbling up ſpeeches and days of debate, repeating the ſame ſpeeches from different abſtracts, and making additions without diſcrimination from Ruſhworth's notes and memorials. Ruſhworth is never himſelf to be implicitly relied on until he comes to the period of his own appointment as clerk's aſſiſtant in the long parliament. As the ſtruggle indeed went on, to the gigantic proportions it aſſumed on the meeting of that parliament, the leading members more often printed their own ſpeeches, and the way became much clearer. During the period of the preſent memoir, cloſing with the third parliament's diſſolution, the blanks are terrible. Eliot's manuſcript memoir, in which there is hardly a great ſpeech reported of which we have any other record at all, has in a ſtriking way ſhown me this, and how much is yet to be learnt reſpecting theſe early parliaments. Happily however, in his caſe at leaſt and for the purpoſe of this biography, by the diſcovery of that manuſcript and of the drafts in his own hand of all the leading ſpeeches ſpoken by him, thoſe blanks will be here, I hope, to a great extent ſupplied.

miſtake was made in that work, attributable doubtleſs to the ſame cauſe, by printing in it as Cotton's the argument delivered by Littleton in the third parliament, at the firſt conference on the liberty of the perſon.* But in the former caſe, ſome one finding at the ſame time a manuſcript copy of the ſpeech purporting to have been ſpoken by Eliot, was miſled by Howell into a marginal indorſement of it as "not ſpoken but intended by Sir "John Eliot;" and the preſervation of this copy in the Lanſdowne MSS, ſo indorſed, adds to the confuſion. Remarkable alſo are the differences to be noted in the various copies, between that which was publiſhed as Cotton's and this which is preſerved as Eliot's: and impoſſible as it now would be either entirely to reconcile or ſeparate the authorſhips of this famous parliamentary effort, it is perhaps the pleaſanter duty to reſolve them into one; to believe that each may have contributed to the other's ſhare in it; to fancy that Eliot had as much taken part in Cotton's ſearch for its records as Cotton had contributed to Eliot's maſterly employment of them; and to let the ſpeech ſtand, double yet inſeparable, a memorial of the faſt friendſhip of theſe celebrated men. Moſt fortunate the occaſion of its delivery too, and triumphant the effect Eliot made with it. So ſenſible a man as Sir Humphrey May would have choſen otherwiſe his time for doubting the applicability of precedents, if he had known of a collection already prepared for uſe, more formidable than Philips's, and comparing with a more fatal exactneſs paſt puniſhments and preſent ill-deſervings. Yet no ſooner had he ceaſed ſpeaking than they were launched upon the houſe, with an effect which his own depreciation of ſuch hiſtoric examples had helped to make only the more telling.

Eliot began † by comparing the earlier with the later

* See *State Trials*, iii. 85.

† What follows is taken ſtrictly from Eliot's memoir, which correſponds almoſt exactly with the detached report of the ſpeech among his papers.

days of the preceding reign. As long as Cecil lived, he ſaid, and ſtateſmen who were bred by queen Elizabeth remained in James's ſervice, the crown debts were not great; grants and commiſſions were leſs complained of; trade flouriſhed; penſions were more few; and all things of moment were ſo far known to paſs through adviſed council, that though there wanted ſomething of the reign that was gone, yet was there much more happineſs than exiſted now. No honours were then ſet to ſale, and no judicial places; but the laws were executed, papiſts reſtrained and puniſhed, and the ſetting up ſafe reſort and refuge for recuſants in ambaſſadors' houſes was debarred by ſtrict direction. Becauſe in thoſe days the council-table ſtill held her ancient dignity, and no man had obtained ſuch tranſcendent power as in himſelf to be maſter of all buſineſs.

Nay, continued Eliot, as with ſome ſhow of apology for introducing a name not honoured, even ſo long as Somerſet ſtood in grace and had the truſt both of the privy ſeal and ſignet, he had at leaſt the pride of being able to ſay

In the ſpeech, however, preſerved as Eliot's in the Lanſdowne MSS (491, fol. 155), as well as in the copy printed in *Cottoni Poſthuma*, there are ſome introductory ſentences, which, as I have not found them in Eliot's handwriting, I prefer to place in this note. They are to this effect. That "although the conſtant wiſdome of this houſe of commons did well "and worthilie appeare in cenſuring that ill adviſed member the laſt daie (alluding to Clarke's caſe, *ante*, 388) "for trenching ſoe farre into their "auntiente libties; and might encourage each worthie ſervant of the "publiq there to offer freelie upp his councell & opinion; yett ſince their "wall's could not conceale from the eares of captious guiltie and revenge-"full men *w^thout*, the councell and debates *w^thin*, he would endeavour, "as his cleare mind was free from any pſonall diſtaſt of anie one, ſoe to "expſſe the honeſt thoughtes of his harte, & diſchardge the beſt care of "his truſt, as noe pſon ſhould inſtlie tax his inocent and publique mind, "except his oun conſcience ſhould make him guiltie of ſuch crymes as "worthylie had in parliament impeached others in elder tymes. He would "therefore w^th as much breuitie as he could, ſett downe howe thoſe diſorders "had by degrees ſprung upp in their owne memories; howe the wiſedome "of the beſt & wiſeſt ages did of old redreſſe the like; and laſtlie, what "modeſt and dutifull courſe he would wiſh to be followed by themſelves in "that ſoe happie a ſpring of their hopefull maſter. For they were not to "iudge but to pſent. The redreſſe was above, *ad queremoniam vulgi*."

that there had not paſſed, either to his friends or himſelf, any large grants of lands or penſions from the king. Whatever in other things his delinquencies, he could claim neither to have added to the grievances of the people by inducing monopolies, nor to have made a breach upon nobility by expoſing honours to ſale. That very offer, which had ſince been taken, the lord Roper's for his barony, Somerſet refuſed. Nor, in thoſe unhappy marriage treaties with Spain, did he go ſo far as they who followed him. Into ſuch diſtruſt of Gondomar had he at one time brought the king, that he to whom our Raleigh ſo ſoon was given up had been called a *juggling jack*. So ſtood the ſtate when that man's misfortunes overclouded him.

What was it after then? After then, the treaties of marriage were renewed; Gondomar again received, and liked of; popery put in heart by admiſſion of unknown conditions of connivance; the forces we had kept in the Palatinate withdrawn, upon Spaniſh faith and promiſes; their patrimony thereby loſt to the king's children; more money ſpent in ſubſidies and treaties to recover that patrimony from Spain, than would have kept an army to have conquered even their Indies; our old faſt friends diſheartened; and our ſovereign that now is, expoſed to more danger than wiſe and weighty counſel could ever have admitted.

But what had their predeceſſors in that houſe done in like caſes? Never had they ceaſed to inſiſt upon relief and reparation in all ſuch wrongs. In the time of Richard the Second, it was a capital charge in parliament againſt biſhop Wickham that he had loſt the county of Pontois by diſſuading that king from a timely aid which would have ſaved it. In the days of Henry the Sixth, it was a capital crime in parliament objected to De la Pole that by an unaided and unwiſe treaty of a marriage for that king in France he had loſt the duchy of Maine. In the time of Edward the Third, the procuring of impoſitions,

after the ſame were croſſed in parliament, was held a heinous crime and capital; and Lyons and Latimer were puniſhed. Well, had not the Palatinate now been loſt by treaty? And by what council was it, or rather by what power independent of council, they might now aſk, had authority been given to foreign agents to procure liberty for papiſts, to obtain pardons for prieſts and jeſuits, and to become ſuitors and ſolicitors at every tribunal of the government to prevent all puniſhment of the ill affected ſubjects of the kingdom? "Sir," added Eliot, "there have been grants of impoſition lately made, "and complained of here in this houſe as burdening "trade, the very leaſt of which would aforetime have "been judged as heinous a crime as in the caſes of "Lyons and Latimer."

He next took up the queſtion of the diſpoſal of titles for money. In the times of Edward the Third, of Henry the Fourth, and of Henry the Sixth, he ſaid, parliaments had been ſuitors to the kings to beſtow honours on public ſervants; but that which had been kept as the moſt ſacred treaſure of the ſtate, was now commonly ſet to ſale. At that poſtern, no longer the gate of honour, more had been late admitted than all the merits of their elders had let in theſe laſt five hundred years. So tender were thoſe earlier times in the preſervation of that jewel, that it was made an article in the judgment of De la Pole that he procured himſelf to be earl, marqueſs, and duke, of one and the ſelf-ſame place; the like titles being unqueſtioned yet with us. As matter of ſtate policy Edward the Firſt had found it neceſſary to reſtrain even the number of thoſe that challenged writs due by tenure; but let the diſproportion at preſent be judged, and how far it ſuited with the profit of the ſtate. Now that all of us were taught the vile price of that which once was precious and ineſtimable, how were great deſerts in future to have recompenſe other than by coſtly rewards from the king?

Would it be ſaid that there were ſtill at the diſpoſal of the ſtate places of truſt and profit? If worthy perſons had of late been promoted to ſuch, he ſhould be glad. Was it not known to be otherwiſe? In the time of Edward the Second, Spencer had been condemned for diſplacing good ſervants about the king, and putting in their place his kinſmen and followers; inſomuch that, as the records of that time ſaid, way was not left either in church or commonwealth but to ſuch as fined * with him or his dependants. But how, if not in that ſame manner, were ſuch offices now diſpoſed?

A ſad heavineſs it was, that laſt day in Chriſtchurch-hall, when they had had related to them his majeſty's great debts, high engagements, and preſent wants. Might the noiſe thereof ever be buried within thoſe walls! What courage might it not otherwiſe work in their enemies! What diſheartening to their friends! To thoſe who had cauſed what was deſcribed that day, if any there were who had been the cauſe, he held the danger to be great and fearful. No ſmall motive had it been to parliament, in the time of Henry the Third, to baniſh the half-brothers of the king, that they had appropriated to themſelves what ſhould have ſupplied the king's wants. Gaveſton and Spencer, for the like, had the like fortune in the time of Edward the Second. And among other crimes for which puniſhment was adjudged in the ſecond Edward's time to the father of the duke of Suffolk, Michael de la Pole, was that of having turned away from their proper ends the ſubſidies that were granted. So, too, for waſting in time of peace the revenues of the crown, to the yearly oppreſſion of the people, William of Wickham, that great biſhop, was put upon the mercy of his prince. The like offences were made occaſion for the ruin of the laſt duke of Somerſet. And as fearful in reſults to their maſters and ſovereigns, had

* Paid fines, that is, for favors received.

been the examples in that kind ſhowing the abuſe of miniſters. Into ſo great a ſtrait had ſuch improvidences and ill counſels led Henry the Third, that in his miſery he put in pawn part of his dominions; engaged as well the royal jewels as those of St. Edward's ſhrine at Weſtminſter; nay, did not ſpare, as was ſaid, the great crown of England itſelf!

The drift thus far of Eliot's precedents and examples could not be doubtful. Though Buckingham had not been named, they compriſed every notorious abuſe of his adminiſtration: the waſte of royal lands and revenues, the abuſe of grants and penſions, the ſale of titles and judicial places, favor to recuſants, mal-appropriation of ſubſidies, overriding of the authority of the council-table, aſſumptions of the royal authority, concentration of the higheſt offices in a ſingle perſon, and beſtowing of others unworthily on relatives, favorites, and dependants. They were in fact a complete forecaſt of the ſubjects compriſed afterwards in the articles of his impeachment. All theſe things, however, known and generally denounced as they were, wanted ſomething of the ſharp preciſion and fatal exactneſs with which Eliot proceeded now to puſh his parallel to the very verge of that Oxford meeting; uſing ſarcaſtically phraſes by which Buckingham had provoked laughter at the Chriſtchurch comedy; and, by an incident brought vividly back through the waſte of two hundred years, recalling the very ſhame and wrong they had all reſented bitterly in their ſudden break-up at Weſtminſter. The cloſeneſs of compariſon, unſhrinking plainneſs of ſpeech, and, all circumſtances conſidered, the dauntleſs courage in theſe cloſing paſſages, are indeed extraordinary.

"Sir," reſumed Eliot, "to draw you out to life the "image of a former king's extremities, I will tell you "what I have found here in Oxford ſince our coming to "this meeting. It is the ſtory of what was ſuffered

" here by Henry the Sixth,* writ by a learned man " named Gaſcoigne, twice vice-chancellor of this place, a " man who witneſſed the tragedy of De la Pole. So rent " away by ill council were the royal revenues, he tells " you, that the king was enforced to live *de tallagis et* " *quindenis populi* ; that he was grown in debt more than " half a million ; that his powerful favorite, in treat- " ing of a foreign marriage, had not *gained a nation*† " at home, but had loſt a duchy abroad ; that to work his " ends, he had induced the king to adjourn the parlia- " ment *in villis et remotis partibus regni*, where *propter* " *defectum hoſpitij et victualium*, few could be expected " to attend, and ſo he might enforce thoſe few, to uſe the " writer's words, *concedere regi quamvis peſſima*. And " when an act of reſumption was deſired, that juſt and " frequent way of reparation for the ſtate (I call it fre- " quent becauſe ſo uſually was it done that from the " time of Henry the Third to Edward the Sixth all " kings but one did exerciſe it), this powerful miniſter " oppoſed it, and telling the king it was *ad dedecus regis*, " ſo ſtopped it.

" But what ſucceeded on the parliament taking it in " hand? The ſame author tells you that the commons, " though wearied with travail and expenſes, proteſted " they would never grant an aid until the king ſhould " *actualiter reſumere* all that was belonging to the crown ; " adding that it was moſt to the diſgrace of royalty " to leave its creditors in intolerable want, and to be " engroſſed wholly by the council of ONE MAN who had " brought ſuch miſery to the kingdom, ſuch poverty to the " king. All which good council ſtill failed to work until " by parliament that bad great man was baniſhed, when

* Already, it will be remembered, has Eliot referred in his memoir (*ante*, 314) to the fact of theſe incidents, carrying ſuch exact compariſon and diſaſtrous omen, having occurred in a convention at Oxford.

† See *ante*, 396.

" the act of reſumption forthwith followed, and imme-
" diately the ſupply.

" If we ſhould now, Mr. Speaker, ſeek a parallel to
" this, how would it hold to us? We have heard the
" lord treaſurer confeſs to us that the ſtate revenues are
" all waſted and anticipated, that nothing now comes
" from thence for preſent neceſſity and uſe, that hardly
" anything can be looked for. Of the royal debts we
" know they are as exceſſive, if not more. We ſaw
" lately that one man's arithmetic could not number
" them. Too well known, alſo, in the too woful and
" lamentable experience of late times, is what has been
" exacted from the people. What was loſt in the
" Spaniſh match and treaties, children can ſpeak that
" were not born to ſee it. By whom was cauſed the
" adjournment to this place, *and for what ends*, there
" needs no prophecy to tell us. So that, I ſay, in all
" things our reaſons are the ſame; and the caſes will hold
" proportion, if that our acts be anſwerable."

" Sir," concluded Eliot, with temperate and manly reference to what had fallen from Sir Humphrey May, " it is true that precedents are not gods, yet ſome vene-
" ration they require. The honour of antiquity is great,
" though it be not an idol; and the wiſdom of examples
" is moſt proper, if it be well applied. What was fit at
" one time, all circumſtances being like, cannot be
" called unfit, uncovenable with another. No threaten-
" ings nor difficulties may deter us from the ſervice of
" our countries. Our fathers had not a greater truſt
" than we. Their reaſons and neceſſities were not more.
" Therefore I move with that worthy gentleman" (Philips)
" we purſue a remonſtrance to the king, and in due time
" we ſhall be ready to ſupply him." *

* None of theſe very ſtriking cloſing paſſages are in the copy of the ſpeech printed as Sir Robert Cotton's, which, beſides differing in the turns of expreſſion throughout, cloſes its general reſemblance, or identity, at the incident given from Gaſcoigne. I quote from the copy in the Lanſdown

Of the effect produced by this great effort Eliot ſpeaks in his memoir with a natural reſerve, but yet plainly. He ſays that the affections of the houſe were ſo far inflamed by what he had ſaid as to be "pitcht "wholie on the imitation of their fathers, and it then "appeared the eſteeme of preſidents did remayne, w^th^ "thoſe that knew the true valewe of antiquitie. The "cleer demonſtrations that were made of the likeneſs of "the times gave them like reaſons who had like intereſts "and freedoms." He adds alſo, that while the courtiers did not reliſh it, they yet ſaw, by the way in which it had been taken, the prudence of dropping the tone in which the debate begun, and of turning from juſtification and defence to prayers and excuſes. "In "w^ch^ ſoft waie the chancellor of the exchequer did dis-"courſe." Adverting to what Eliot had ſet before them, Sir Richard Weſton deſired the houſe to remember that the diſorders ſpoken of were not of the preſent king's time, but brought in under the government of his

MSS., agreeing in the main with that in the *Cottoni Poſthuma*, the paſſages which follow that incident and cloſe the ſpeech. They probably repreſent what the ſpeech would have been if really ſpoken by Sir Robert Cotton. The precedents are here, but in dry dead form; without the warmth and life infuſed into them by Eliot. "That was a ſpeeding article againſt the bpp "of Wincheſter &, and his brother in the tyme of Ed. 3 that they had en-"groſſed the pſon of the king from his other lordes: it was not forgotten "againſt Gaveſton and the Spencers in Ed. 2 tyme: the unhappie miniſters "of R. 2, H. 6, and E. 6 felt the waie to their ruyne of the like erro^rs^. "Wee hope wee ſhall not complayne agayne in pliam^t^ of ſuch. I am "glad we have neyther iuſt cauſe nor undutifull diſpoſicons to appoint the "king a councell to redreſſe thoſe erro^rs^ in pliament, as thoſe of 42 H. 3. "Wee doe not deſire as 5 H. 5 or 29 H. 6, the remoueing from about the "king of evill co^u^ncelle^rs^. Wee do not requeſt a choyſe by name as 14 E. 3 "3°5° et 11° R. 2, 8 H. 4, 31 H. 6; nor to ſweare them in pliam^t^ as 35 "E. 1, 9 E. 2, or 5 R. 2; nor to line them out their direc̃ons of rule as 43 "H. 3 & 8 H. 6; nor deſire that w^ch^ H. 3 did p̃vide in his 24^th^ yeare, ſe agere "viã per aſſenſum magnatum de conſilio ſuo electorum et ſine co̅municorum "aſſenſu nihill. Wee onlie in loyall duetie offer upp our humble deſires, "that ſince his Mat^te^ hath with adviſed iudgment elected ſoe wiſe "religious & worthie ſervauntes to attend him in that high ymployment, he "would be pleaſed to adviſe w^th^ them together a waie of remedie for "thoſe diſaſters in ſtate, led in by long ſecuritie and happie peace, and w^th^ "yong and ſingle councell."

father, and ſuch as peace and quiet had begot. That, in the king that now was, they had the virtues of his perſon, and the promiſe of his word, to aſſure their hope of reformation, if they would but wait till the next meeting. He did hope, therefore, that thoſe diſtaſtes might be left off, and the remonſtrance that was talked of; and that ſuch an anſwer might be fitted for his majeſty as the gentleneſs of his meſſage and the ſweetneſs of his nature did require. But even while the chancellor was ſpeaking, Eliot tells us, he found by the continued temper of the houſe that this way would not do; whereupon, changing his deſign, he fixed upon the queſtion of ſupply, and preſſed to have a reſolution on that point, aye and no. The purpoſe was ſeen at once by the country leaders, and promptly reſiſted. To paſs the remonſtrance was to keep their party firmly together to a declaration that there were grievances to redreſs, in which all were agreed, and to pledge no man ultimately in the matter of ſupply; whereas to take a diviſion upon ſupply was to force opinions prematurely on a point as to which there were differences, and to offer excuſe for a diſſolution.

"The rocke was ſeene betimes," ſays Eliot, "and as "ſpeedilie avoided. For the negative, the wiſer ſort did "feare; the affirmative, all generallie did abhor. There- "fore in this, w^ch^ required little art or eloquence, much "was ſaid on both ſides, and much conteſtation was upon "it: wherein the new elect for Yorkſhire, Sir Thomas "Wentworth, by a new return then come, did ſoe well "expreſſe himſelfe for his countrie, as it deſir'd that "choice, and allaied much of the labour to the con- "trarie." Eliot means that the ſatisfaction now given to Wentworth's conſtituents by his oppoſition to ſupply, ſtrengthened him in Yorkſhire againſt factious oppoſition. Of the ſpeech, he reports nothing further: but the brief note in the journals* reſtricts it wholly to the money

* Commons Journals, i. 812; and ſee *ante*, 285, note.

queſtion. In his judgment, Wentworth ſaid, that parliament was not bound by the engagement of any former one. The preſſing of ſuch a precedent therefore for ſo ſmall a ſum (the falſe ſtep made in this reſpect by Buckingham at ſtarting, through Sir John Cooke,* having ſtill ſurvived all the effects of Weſton and May to ſubſtitute a larger ſum), was to take advantage of it for greater hereafter. Though he was moſt ready and willing to give in due time, he was altogether againſt preſent giving.

He was followed by Sir Edward Coke, who ſpoke ſtrenuouſly againſt any attempt ſo to put the queſtion; characteriſed it as *ſolum et malum concilium*; threw in two other precedents to thoſe which the worthy knight (Eliot) had delivered: the degradation, for having given ſuch ſole and evil counſel againſt the commonwealth, of Hubert de Burgh in the eleventh of Henry the Third, and that of chief juſtice Segrave, in the ſixteenth of that prince, for giving the like ſole counſel againſt the commonwealth: and offered to contribute a thouſand pounds out of his own eſtate rather than grant any ſecond ſubſidy now. Sir Francis Seymour ſpoke in the ſame ſtrain; which alſo had warm advocates in Sir William Spencer, Mr. Alford, Sir Guy Palmes, Sir Thomas Grantham, Mr. Wandesforde, Mr. Mallory, Sir Thomas Puckering, and Sir Thomas Hobby, all of them ſitting for large and popular conſtituencies. Even ſome who were for giving, such as Sir Heneage Finch the recorder, Sir George Moore, and Sir Henry Mildmay, declared it ſhould be done with great caution, and with a proteſtation never to do the like upon any neceſſity hereafter; and the few who were for giving abſolutely, becauſe of the anſwer to the petition for religion and the duke's ſpeech in Chriſt-church hall, were men in ſome way connected with the duke, as Sir Robert Pye, Mr. Drake, Sir Walter Tich-

* See *ante*, 351, 352.

bourne, Sir Robert Crane, and Mr. Charles Price. On the other hand a diſtinguiſhed lawyer of the weſt who repreſented Truro, Mr. Henry Rolle, and who by the tone he now took drew down future perſecution on ſome of his kinſmen, not only declared againſt ſupply, but ſaid he did ſo becauſe the neceſſity was ſo great that now was the time if ever to force a redreſs of their grievances. Turkiſh pirates were laying waſte their coaſts, and capturing ſhips and men; the inhabitants of thoſe parts were driven to great expenſes for ſelf-defence; and was that a time for laying new burdens on them? Two more ſpeakers cloſed this memorable debate. One was Mr. Glanvile, "that pregnant weſtern lawyer;" and the other Sir Robert Manſel, whoſe brief addreſs, according to Eliot, if ſpoken earlier, would earlier have ended the diſcuſſion.

Glanvile ſpoke ſtrongly for ſuch a remonſtrance as had been recommended by Philips and Eliot. He would have it referred to a committee of the whole houſe to prepare the ſame; and he would have its main purpoſe to be, to bring directly under their ſovereign's notice the lamentable grievances of the kingdom, and to warn him, in all obedience and loyalty, againſt thoſe whoſe intereſt it was to make evil and unjuſt report of that houſe. It ſhould in no reſpect convey a denial of ſupply, but ſhould carry expreſs aſſurance that in due time a ſupply would be given. To force the queſtion of at once giving or refuſing, as the chancellor deſired, was not parliamentary. A denial would be diſhonourable to the king, and a grant with difficulty not leſs diſadvantageable for themſelves. It would take off all merit from the act, and change it to the *panis lapidoſus* of the ethicks. Such queſtions were not to be hazarded for princes. It was not uſual, until the conſent was manifeſt, to propound them in that place. It was the prerogative of kings to call parliaments at their pleaſure; but in counterpoise of that, their anceſtors had erected the privilege for

themſelves to treat of what buſineſs they ſhould pleaſe. It was prejudice to that libertie to force upon them the queſtion raiſed; and the importunity uſed therein, he held to be an implicit confeſſion of error in having ſo ſuddenly compelled them to come together in that city. Was it reaſonable that the parliament ſhould ſpend, as by computation it did always, ſeven thouſand pounds a-day, and this but for the grant of forty thouſand pounds in all? By crowning ſuch counſels with ſucceſs, they would give encouragement to their adverſaries.

Sir Robert Manſel at laſt aroſe. Having been named by the lord admiral as a party to the naval preparation, and having been appealed to by a worthy gentleman, he had now utterly to diſclaim all knowledge of the action, or any conſultation had upon it. There had been ſome meetings of the council of war which he had attended as a member, and ſome propoſitions were ſpoken of for the navy, but no deſign or enterpriſe had been ſtated, and there could not therefore have been any counſel or advice. He would not, he ſaid, have the matter of supply put to queſtion. There ought to be but one negative voice.*

The effect of this, Eliot tells us, was deciſive. "Upon "this, all color was remov'd from thoſe that ſought the "queſtion. Noe ſuch queſtion could ſeeme proper, "where ther was noe reaſon for ſupplie. The ſup-

* A letter of the time (S. P. O. MS. Dom. Cor. 11th Auguſt, 1625) ſtates the ſubſtance of Manſel's ſpeech in ſtronger terms than are aſcribed to the diſtinguiſhed ſeaman by Eliot. He ſays that Sir Robert declared all things done in the naval preparation had been badly done, and that, in regard to what was in hand at the time, he not only offered to prove it was not well counſelled, but hazarded the prediction that it was not like to proſper. It may be worth adding the teſtimony, from another unpubliſhed letter, to the abſence of all violence of expreſſion from the ſettled reſolve that characterized theſe great debates. Six weeks later, one of the royaliſt members, Sir John Paul, wrote to ſecretary Conway of "the *great calmneſs* with "which the ſubject of ſupply was diſcuſſed in the Oxford parliament." S. P. O. (MS.) 24th October, 1625.

" plie could not be preſſ'd for in an action w^th^out " counſel: w^ch^ being in doubt before, but now in full " creditt and beliefe, that long debate concluded for a " Remonſtrance to the king."*

It was very late when the commons left the divinity ſchool, and warnings of a ſtorm in more than one direction on the morrow were already lowering on both court and country party. Manſel's few brief words had hurried on ſuddenly the criſis for both.

VII. Last Scene but One.

Soon after the houſes broke up, a council was held at which the king was preſent, and an immediate diſſolution was propoſed. The lord keeper and his moderate allies reſiſted it. The duke profeſſed himſelf indifferent; but ſince the object of a continued ſitting was to make attempt upon himſelf, he would rather the ſitting went on. By this, ſays Eliot, he only more deeply engaged the king; ſo that all the efforts of the other party, led by Williams, were powerleſs. " Againe with much earneſtneſs he declar'd " himſelf, and w^th^ manie reaſons indeavor'd to diſſuade; but " his power was found too weake in conteſtation for the " others. The faction of the D's partie did prevaile; " not that it ſpake more trulie, but more pleaſantlie. " Soe indeede was the ſceane contriv'd, that the D " himſelfe ſeem'd a ſuitor for the contrarie, and on his " knees did deprecat that w^ch^ he moſt deſir'd! But the

* The *Journals* (i. 814) ſtate the reſult to have been the appointment of a committee of the whole houſe to conſider next morning of an anſwer to his majeſty's meſſage; and the editors of the *Parliamentary Hiſtory* after copying this go on to ſay (vi. 402). that " notwithſtanding yeſterday's " reſolution, we find no mention of the meſſage in the next day's proceed- " ings." The *Journals* had miſled them, as they too frequently do. The only propoſed anſwer to the meſſage was the remonſtrance, and Eliot deſcribes correctly the reſult of the debate. All that remained was, that in a committee of the whole house the terms of the remonſtrance ſhould be ſettled, and order made for its preſentation to the king.

" reſolution was immoveable in the king; and, as none " doubted, *ſoe practiſ'd by the other.** Upon w^ch^ the " opinion of the keeper was rejected, and, not longe " after that, himſelfe."

Before the council broke up, however, the king made ſo far a ſhow of himſelf giving way to the duke's pretended importunity, as not to oppoſe a *locus penitentiæ* for the commons; but at all riſks interruption was to be made to the remonſtrance, which on no account was to be preſented or even drawn up. With this view, a reply to Manſel was to be attempted, and a new meſſage offered for ſupply; this unpromiſing duty being divided between Buckingham's two moſt devoted adherents, Sir John Cooke to take ſupply, and the ſolicitor general to anſwer Manſel. Meantime the commiſſion for diſſolution was to be got ready, ſo that on the inſtant, if the commons ſhowed no ſign of yielding, it was to be put into effect.

While this council was in progreſs, the country party were holding one of their own. They were met, ſays Eliot, to conſider the terms of their remonſtrance; when new complaints came upon them with ſo much urgency, of the ſpoils and inſolences of the pirates, and of divers cruelties † that were ſuffered by the captives they had taken, that this, coupled with that extraordinary diſcloſure by Sir Robert Manſel directly contradicting the

* So *contrived*, we ſhould now ſay.

† The MSS. in the S. P. O. fully corroborate all this, and the deſcriptions in Eliot's memoir, *ante*, 316–18. (Dom. Cor. 6th, 11th, and 12th Auguſt, 1625.) There is a petition ſent up by judge Hutton from the Devon grand jury, upon the unprotected ſtate of their coaſt, dwelling upon the lamentable outcries heard along the ſhore from the wives of thoſe captured, and upon the " ſtrange tortures " reported to be practiſed ſuch as would " move any Chriſtian heart." Accompanying and reinforcing which complaints, there is a letter from the mayor of Plymouth ſtating that within the paſt twelve months, beſides ſhips, a thouſand Engliſh ſeamen had been captured; and laying " to the fault of the lord admiral" the ſo ſudden increaſe of piracy on that coaſt, along which, even while he wrote, a fleet of pirates " 26 or 27 ſail ſtrong " were ſweeping uncontrolled.

duke's averments, turned the feeling more ſtrongly than ever againſt the lord admiral, whom it was then propoſed to introduce into the remonſtrance by name. "The Turks were ſtill roving in the weſt, the Dun-"kerks in the eaſt, the cries came out of all parts. "Their loſſes great, their dangers more, their feares "exceeding all. Noe marchant dared venture on the "ſeas, hardlie they thought themſelves ſecure enough "at land. It was alledg'd by ſome,* that as the king's "ſhips were ſtopt from going to relieve them when "it was ordered by the council, ſoe they were then. "Though readie on the coaſts, or in the harbors neer "them, wher thoſe rogues were moſt infeſtuous, nothing "might be done. Naie, in ſome caſes it was prov'd that "the marchants had been taken even in the ſight of "the king's ſhips, and that the captaines, being impor-"tun'd to releeve them, refuſ'd their protection or aſſiſt-"ance, and ſaid they were denied it by the inſtructions "wh^ch they had.† Upon w^ch it was conceav'd to be more "than common negligence. The duke was thought "faultie in that pointe, he being admirall, from whom "the inſtructions were deriv'd. For that, he had the "imputation of thoſe errors *w^ch ſome did then terme* "*crimes; and thereupon, w^ch formerlie was forborne, it was* "*reſolv'd to charge him by name.*"

In this temper on either ſide, the houſe met on the morning of Thurſday the 11th of Auguſt. As ſoon as prayers were ſaid, petitions were handed in from the Devon grand jury, from the mayor of Plymouth, and from ſeveral weſtern merchants complaining of the admiral on their ſtation, Sir Francis Stewart, for ſuffering captures to be made before his face. The member for Hull, Mr. Liſter, alſo enlarged on the wrongs done to trade by the Dunkirkers, and declared that the ſafety

* Doubtleſs by Eliot: see his ſtatement, *ante*, 320–1.

† This was alleged ſpecially, it will ſhortly be ſeen, of Sir Francis Stewart, admiral on board the Lion in Plymouth water.

of all the ſeaports had become matter of vital concern. He was ſeconded by Sir Francis Seymour, who ſpoke with much bitterneſs, and ſaid that when they ſhould reſolve themſelves into committee to conſider the terms of the remonſtrance, he had a propoſal to ſubmit to them. At this moment the king's ſolicitor and Sir John Cooke took their places, and the houſe was informed that there was another meſſage from the king. It was very brief in terms, Eliot adds,* and merely "urg'd the "ſupplie againe, to renew the former queſtion. W^ch meet-"ing as well w^th wonder as oppoſition, that that queſtion "ſhould again be ſtir'd which yeſterdaie was reſolv'd, the "ould artiſt beganne his apologie."

There were two extremes, Sir John Cooke begged the houſe to conſider, which wiſdom would ever avoid. The one was *deforme obſequium*, baſe and unworthy; the other was *abrupta contumacia*, unpleaſant and unſafe. The middle courſe alone was commendable, and for this had Lepidus been eulogiſed by Tacitus. For himſelf he wiſhed that princes would deſire from their ſubjects nothing unfit, but if they did, he would have the denial in ſuch manner made as it ſhould ſeem not to their perſons but the things. It was a ſaying of Tiberius, that common men were ruled by profit, princes by fame; and as profit might more weigh with them, he

* The Journals and Parliamentary Hiſtories contain no mention, even in the moſt general way, of this freſh attempt on the part of the king and council, as indeed of very little that gives its diſtinctive intereſt and value to Eliot's memoir and papers, ſo abundantly uſed in theſe pages. I have not thought it worth while, however, to indicate in paſſing ſuch inſtances as this, fearing to weary the reader; and conſcious that the moſt curſory compariſon of my narrative with any of the hiſtories will ſhow ſufficiently its important new facts and illuſtrations. Of the many remarkable ſpeeches deſcribed, the Journals contain ſcarcely a mention; and even where they happen to be referred to, they are unintelligible for want of their ſequence and connection, and of thoſe explanatory circumſtances by which Eliot reſtores to them ſomething of their original life, by reawakening their purpoſe and intention. None of the ſpeeches now to be deſcribed, by Cooke, Heath, Seymour, and Littleton, important as all of them are, and eſpecially curious and intereſting the two laſt, have been reported or referred to in any former work.

would that way direct his reaſon. Either the money already diſburſed in the preparations had been well ſpent, or not. If well, it was no good huſbandry, for want of a little to be added, to loſe ſo much laid out: if ill, not giving would only excuſe thoſe who had miſemployed their opportunities to an ill reſult, that would then be charged to others. In the firſt ſenſe it would be unprofitable *omni modo*, and in the ſecond *aliquo modo*, not to give; and that was the dilemma they were in. As for diſputing at this time the neceſſity becauſe of the manner in which it was incurred, it would be like the act of the man, who, ſeeing another in the mire that called to him for help, ſpent ſo much time in queſtioning how he came thither that before his hand was given the other was ſunk paſt hope. A neceſſity there was then. That was confeſſed of all ſides. Should not their labour then ſimply be, how for the preſent to relieve it; and what kind of neceſſity it was, or how incurred, might be conſidered of hereafter. It was not to be ſuppoſed he denied that the kingdom was in ſickneſs, or that it did not need phyſick. Nay, he even liked the medicines that were ſpoken of; though he doubted they would be found unſeaſonable, if applied in thoſe dog-days. But having his majeſty's aſſurance, now repeated, for a new meeting and for full opportunity therein, he wiſhed to defer it till that time; and warned them that they ſhould not, by only opening the wound, perhaps make it more incurable.

The cloſe of this addreſs, Eliot adds, was leſs ſucceſsful than its opening. That confeſſion of the ſickneſs of the kingdom was ſuppoſed not a will-offering, or what properly was his own, but an act of expiation for his former treſpaſs; and therefore "more it did loſe the advocate than "anie waie made advantage for his client, whoſe fame was "not better by that art, and the other's worſe. The like "fortune," he continues, deſcribing the ſolicitor general's reply to Manſel, "mett the other, who handled that

"particular of the counſell; wherin he made a long "narration and diſcourſe; how the counſell" (he means the council of war) "had often mett, as was pretended "by the D; how Sir Robert Manſell did withdrawe "himſelfe upon private reaſons and diſtaſts; how divers "particulars were propounded and debated by the reſt, "and the deſigne in queſtion by them all reſolv'd on. "How the Lo. Chicheſter had left ſome papers that "commended it; how Sir Edward Cecill, who was ac-"quainted with the ſecrett and beſt could judge upon "it, had ſaid it was probable, and an ould plott of the "prince of Orange's. Other thinges of this nature he "produc'd, more coloring than concluſive. The Lo. "Chicheſter being dead, and the truth of the papers "being uncertaine, that wrought but little on the judg-"ment of the audience. Sir Edward Cecill, a com-"mander for the action, could not but magnifie the "deſigne; and therefore was that aſſertion thought as "invalid as the other for ſatisfaction in the proof. "Neither was thought authentick. From the reſt of "the counſell, who were all living, and ſome there" (both Conway and Cooke were members), "there came "nothing. And yet, if their atteſtations HAD been "brought, ſuch a command has greatneſſe that *ſome men* "*would have doubted*, though others had beleev'd."

Having diſpoſed thus characteriſtically of Cooke and Heath, whoſe attempts, unpromiſing at the beſt, had not been favored by the circumſtance that already, as we have ſeen, the houſe's attention was fixed on more exciting topics connected with the propoſed remonſtrance, Eliot tells us that intereſt was ſuddenly and ſtrongly reawakened at a reply made to ſome remarks by Sir Humphrey May. It was quite unexpected; and it was the maiden effort of the ſpeaker, a lawyer, who had not before been a member of the houſe. For this reaſon, and becauſe he thus "became firſt known for "his abilitie," Eliot reports at length what he ſaid; and

we are happily thereby made acquainted with the outſet in public life of Edward afterwards Lord Littleton, now member for Carnarvon, who, after gallantly ſuſtaining Eliot through the ſtruggles for Buckingham's impeachment and the petition of right, conſented to become recorder of London, and was afterwards ſolicitor general, chief juſtice of the pleas, and lord keeper.

It has not hitherto been ſuppoſed that Littleton took any part in ſtate affairs until the parliament of 1626; but his biographers had overlooked the fact of his having ſat in the preſent parliament,* and now Eliot diſcloſes in connection with it an incident of an importance not leſs than its intereſt, ſince it ſhows us how unaffectedly and heartily, at that firſt freſh ſtart in public life, he made common cauſe with the country leaders. With what they repreſented, indeed, his heart remained to the laſt, as his royaliſt friends were fain reluctantly to admit. He was not only a fine lawyer, but was popular with every one by his perſonal accompliſhments and eaſy diſpoſition; and though his was not the ſtrong ſtout ſtuff of which patriots are made, and both with patriots and courtiers he fell into ſuch disfavour as timid men ſeldom avoid in ſtormy times, he was regarded to the laſt by both parties, in ſpite of his defections from both, with remarkable tenderneſs; and had the friendlieſt epitaphs from Clarendon as well as from Whitelocke and Selden. Let it now be further to his honour that, as the cloſe of his public life was celebrated by thoſe famous men, its opening received commemoration from a man not leſs famous, and his firſt ſpeech in parliament was reported by Sir John Eliot.

Littleton was called up by a ſpeech from Sir Humphrey

* See Foſs's *Judges of England*, vi. 345; and Campbell's *Lives of the Chancellors*, iii. 27. On the other hand, conſult Willis's *Notitia Parliamentaria*, iii. 207. The connection of Littleton's father (great-grandſon to the famous author of the *Treatise on Tenures*) with North Wales, of which he was chief juſtice, led doubtleſs to his ſon's return for Carnarvon. The name is alſo written Lyttelton.

May, which had a little rouſed the attention of the houſe from "other looſe arguments made to revive the queſtion "for ſupplie" by the fact that "therin were ſome pre- "ſidents vouch't by him that had decried them; as thoſe "of 29th and 31ſt Elizabeth, and 3rd James; wherein "augmentations had been made to the grants then firſt "reſolv'd on, whence was inferr'd a perſuaſion for the "like." Whereupon the member for Carnarvon aroſe, and with great force and directneſs joined iſſue at once with the chancellor of the duchy.

"Mr. Speaker," he began, * "The queſtion in debate "is whether to give or no; and therein my opinion is "abſolute, *not to give*. For which, before I declare my "reaſons, I will make ſome anſwer to the arguments now "ſtated on the contrary, whereby the worth of both may "more eaſily appear. There has been an objection made "againſt inſiſting on old precedents, and that we ſhould "not make them gods; which has ſince in part been "anſwered,† that they were venerable though not idols. "I will however further ſay, that precedents are the life "and rule of parliaments: no other warrant being for "the parliament itſelf, or the authorities it pretends to, "than the ancient uſe and practice drawn out by prece- "dents. And ſhould not, then, parliaments be careful "to preſerve that rule inviolable? to make it conſtant "like themſelves? In other courts, conflicting prece- "dents are badges of diſtemper and weakneſs; and much "more would it be if the great court of parliament,

* I may here ſtate, what ſhould probably have been ſtated earlier, that in quoting ſpeeches from their MS originals I have generally moderniſed the ſpelling, for a reaſon which will be obvious. I have doubted whether I ſhould not wiſely have adopted the ſame plan with letters and papers alſo; but ſomething of a man's idioſyncraſy may ſhow through his ſpelling, which of courſe would not reveal itſelf in his ſpeaking, and there is a kind of phyſiognomy in a letter. It cannot however be too ſtrongly added, that there were hardly any rules of orthography of the moſt general kind at this time in univerſal uſe, and that not only did a man ſpell as it ſuited his ear or fancy, but that few adhere to a uniformity of practice in the matter, or care to be commonly conſiſtent with themſelves even as to the ſimpleſt terminations.

† By Eliot, *ante*, 421.

" being the rectifier of others, ſhould this way err itſelf. " If that ſhould ſtray or wander by which the reſt are " guided, who ſhall rectify and bring it back? But " even thoſe, Sir, that ſpeak againſt precedents, we ſhall " find moſt to magnify and endear them when they " think them uſeful to themſelves. In the agitation of " the queſtion before us, when reaſon has forſaken them, " how have they ſtrained for precedents to help out " failing arguments!"

With his quick and ready knowledge Littleton found it eaſy to diſpoſe of the chancellor's precedents. From the caſe in hand they were widely different, he ſaid, and made nothing in the point. The 29th Elizabeth was only this: that after ſuch time as the houſe had given to that good queen of ever famous memory one ſubſidy and two fifteenths, underſtanding by her council that ſhe was to make great preparations for a war to reſiſt the invincible armada in '88, by their Speaker they told her that they had gone as far for that time as they could, but if ſhe had occaſion they would ſhortly ſupply her again: whereunto ſhe gave the anſwer, which he wiſhed the councillors preſent might likewiſe have regiſtered in their memories with the intention of repreſenting to the king, that ſhe would firſt ſearch the bottom of her coffers before ſhe would grieve her ſubjects. Where, then, was the advantage of the example which ſo much was ſtood on? Nothing then was done of what now they had been ſo much preſſed to. It perhaps would be ſaid there was a promiſe? No, nor that; but rather inſinuation of the contrary. There was *a refuſal* to make addition at that time; and not unlikely for the very reaſon of privilege. What actually was promiſed had reference to another time and meeting. So that the 29th Elizabeth did in no way impeach, but confirmed, the reſiſtance they had themſelves made to a ſubſidy upon a ſubſidy in the ſame ſeſſion of parliament.

Neither did the next, the 31ſt of the reign, apply.

What then was added, was before the act had paſſed, and was made in conſideration of the exceſſive charge laid out for defence againſt the Spaniard. Or rather, it was to congratulate that divine victory and deliverance. Even ſo, it was the firſt time that ever two ſubſidies paſſed at once. "And for the like ſum now," exclaimed Littleton, "I wiſh we had the like occaſion!" Next he handled the precedent of the 3rd of James, ſhowing that the addition then was in like manner introduced; not when the act had paſſed, but while it ſtill ſtood in the pleaſure of the houſe. And ſo, he added, might ſome others be reckoned, not at all ſuiting to the caſe in hand, but ſhowing what their predeceſſors did. His ſole wiſh was that they might do the like.

"But, Sir," continued Littleton, "the law of neceſſity "has been urged; and though anſwered, this more it "ſhall receive. If there be ſuch a neceſſity as is ſaid, "why ſhould not his majeſty be willing that *we* ſhould "now redreſs it? Why doth he not truſt his ancient "council? Ways have been propounded, and more I "know would be, if that liberty were admitted us "to ſupply this neceſſity and all others, and ſo give the "king ſubſiſtence, as his predeceſſors had before him, to "be both loved and feared. Not for four hundred "years and more, in which we have light from parlia-"ments, is there a precedent for what is now aſked; and "yet was there never the like neceſſity before? Surely, "yes; there have been far greater cauſes than is now, "but never in all that time ſo dealt with. There has "been, however, a ſtrange argument made * *ab utili*:

* Sir John Cooke's argument, *ut ſupra*, 421. The remark here occurs, which will be ſuggeſted ſtill more forcibly by ſpeeches of Eliot's to be hereafter given, that a ſpeech of this kind, replying thus to previous ſpeakers in the ſame debate, muſt have owed its preſervation to a report taken down at the time, though it may doubtleſs have received ſubſequent reviſion. And ſuch we know was the practice. The art of reporting was not unfamiliar to the members of theſe early parliaments, many of whom were in the practice of taking notes; and it adds greatly to the pleaſure with which we

"that it is profitable to give. By way of dilemma to "enforce it, a worthy knight has employed the *argu-* "*mentum cornutum*: that either the former monies ſpent "in the preparation have been well laid out or not; if "well, why ſhould we not purſue it? and if otherwiſe, "why ſhould we take the fault upon ourſelves by re- "fuſing to add a little, and thereby be diſabled to call "the delinquents to account? Why, Sir, by the reaſon "of this argument, the parliament ſhould be bound to "maintain all actions and deſigns! For, either they are "good or not; and by this rule we ſhould give the "ſword unto our enemies for the ruin of ourſelves. As "for calling of the actions of any great man in queſtion, "ſuppoſing we are told that nothing can be done without "permiſſion of the king, it behoves us to ſay that, if ſo, it "may be as well done without ſupply as with it, it being "not the manner of great princes to make merchandiſe "of their juſtice."

The ſubject next adverted to, was the anſwer to the petition for religion. Many lines had thence been drawn to the intention of that buſineſs of ſupply; as if religion were the ſervant, *that* the miſtreſs. Of the anſwer in itſelf he was glad as any member of the houſe, though ſorry that to ſuch a purpoſe it ſhould be uſed. But who among them knew what fruit would come from it? Nay, had they not cauſe to fear it, when the fact ſo much differed from the proteſtation! Even at that very time, the pardoning of jeſuits, the protection given to papiſts, the ſupport and countenance to Arminians, ſhowed more than common danger. Why ſhould not the king be deſired to execute the laws? Henry the Fifth was a wiſe and potent prince, not inferior to any ſince the conqueſt; and yet what did his ſubjects unto him? In the firſt year of his reign they found a remiſs- neſs in the execution of the laws; upon which they

read theſe ſpeeches to feel that we have ſuch a guarantee for their perfect genuineneſs.

ſpoke plain language, and prayed him then, in parliament, to put the laws in execution better than his father had done. That, though ſharp, was good and wholeſome counſel, and was followed by that powerful king. If his majeſty would now do likewiſe, he might enjoy like honor and proſperity, and be both loved at home and feared abroad.

The concluſion of Littleton's ſpeech was extremely ſtriking. That there is a falſe allegiance to the king in the unfair preſſure of the ſubject, was put with much felicity; and in what was ſaid of the temptation to make voluntary and occaſional grants compulſory and permanent revenue, he triumphantly anticipated and anſwered his own unhappy argument of later years, when, as king's ſolicitor, he had to defend ſhip-money againſt his old friend Mr. Hampden. "Sir, ſome other arguments have been alſo uſed, "as that this is the firſt requeſt of the king; that "granting it, will be an expreſſion of our loves to him; "and that denying it, will be a pleaſing to the papiſts. "Well, Sir, as to the laſt, it carries no reaſon to perſuade, "for the devil ſometimes is conſenting to good works, "though for ill ends he has. For the ſecond, we muſt "ſo love the king as we neglect not the commonwealth; "we muſt remember there is union between them which "no good ſubjects will divide; we muſt *amare et ſapere*, "not *deperire amore*, love that we may love always, not "to periſh by our love; which were not only injury to "ourſelves but to the object of our love, the king. And, "Sir, for the firſt, it is our duty to conſider what ill "effects have followed any undue preſſure of the people. "Therein our ſtories mention nothing but tumults and "commotions, and it will be well that the councillors "ſhould take heed of what they ſee around them. The "time is dead and all commerce ſhut up, not merely by "the ſickneſs here at home, but by the uncared for and "unchecked piracies and robberies in diſtant parts. "Already the charge laid, in the two ſubſidies granted,

" adds a great burden to the people; and what more " might do, we know not. But we know that if his " majeſty fail in his requeſt, he at leaſt, being wiſe, *is* " *better to be perſuaded than a multitude.* Sir, I might " give other reaſons, from other conſiderations. I might " ſay to you that by the eaſineſs of the ſubjects to ſupply, " princes become more careleſs of their revenues and " their outlay; and that there is ever a doubt, in the " frequent grant of ſubſidies, that they may turn in time " and grow into revenue. What once were voluntary " contributions in Naples and Spain have now become " due and certain. Tonnage and poundage here with " us is now become reckoned in the ordinary, which at " the firſt was meant but for the guarding of the ſea; as " indeed the acts ſtill have it. But theſe things need " not, when our own rules conclude us. Thoſe rules I " deſire we may obſerve, and to paſs on to the remon- " ſtrance which was ordered yeſterday."

The effect of this ſpeech upon the freſh attempt for ſupply, Eliot obſerves, was to " put the courtiers entirely " beyond hope," and to ſhow them no way of ſafety but in immediate retreat. To which end, he adds, " con- " tinuall entercourſe being made with intelligence to the " D, the commiſſion for diſſolution of the parliament, " w^ch^ was ſecretlie prepar'd, was forthw^th^ delivered to " the keeper, who according to the forme was to execute " and diſcharge it." Nevertheleſs ſuch delays were neceſ- ſarily interpoſed by a conference already appointed with the lords,* that another day's ſitting of the commons

* This conference, Eliot ſays in his MS, " concern'd the petition " upon the pardon to the jeſuit" *(ante,* 331-7) " w^ch^ the lords " excus'd onlie as a work of the ambaſſadors: for whom ther was an order " made in Rome, that none muſt come but w^th^ one of thoſe familiars to " attend him, w^ch^ preſſed their maſters as importunately for their fellows as " they had preſt the king: and that the king's anſwer, late deliver'd, was a " ſecuritie for the future: which they ſuppoſ'd might be as effectuall to the " end as what was deſired by the commons, in which however they refuſ'd " not to concurr." It was at this conference Philips made a remark very much to the point in obſerving that " no popiſh king would, at the

could not be prevented. It was agitated and brief, but the work desired was done. The curtain was not to fall upon an unfinished piece.

VIII. Catastrophe and Falling of the Curtain.

Some distraction was wrought in our minds, says Eliot, when news was brought that afternoon that the commission for a dissolution was prepared. But it soon passed away, and those that were resolute out-numbered those that were fearful. Nor could the determination of the majority have been more decisively shewn than on the following morning of Friday the 12th of August, when, in the full knowledge that they were about to be dispersed, they met with the settled purpose first to complete and present their remonstrance.

In this, Sir Francis Seymour took the lead; submitting the proposal of which he had given notice the previous day, and which was neither more nor less than that in the remonstrance the duke should be mentioned by name. "This first direct nomination of the D," says Eliot, "done by Sir Francis Seymour, took off all "vizards and disguises in which our discourses had been "mask't. Then in plaine termes the jelousies were expresst

"instigation of our ambassadors, release any person out of the inquisition!" The other subject of the conference, according to Eliot, was "for some "releife for London; w^ch^ they propounded to be done as by an ordinance of "parliament, that in soe generall a calamitie and distress, ther might be a "generall contribution made towards it. W^ch^ being reported to the com-"mons had a present confirmation and allowance: as in the former, upon "the pardon, they also rested satisfied." Referring to the *Journals* (i. 815), I find that under this ordinance ten shillings was contributed by every knight, and five by every burgess, for help to the plague-stricken poor of London; and from the amount collected before the members separated on the last day, which was 112*l.* 10s. 4d., may be guessed the numbers then in attendance. Some interesting notices of the plague at this date will be found at the opening of Whitelocke's *Memorials*. Among other things he says that no money now passed from hand to hand in London without first being put into a tub of water, and that it was common for whole families, "both master and mistress, children and servants," to be all swept away. (i. 5. ed. 1853.)

" wᶜʰ hindered the ſatisfaction of the king. His neer-
" neſſe to his majᵗⁱᵉ was too much; his greatneſs and
" exorbitance offenſive; his power and practise both
" doubted and hated. In his perſon was contracted the
" cauſe of all thoſe miſeries. All the expreſſions and
" examples whᶜʰ formerlie had been heard of, were
" then applied to him. His faults and errors were the
" ſame; ſoe was deſir'd his puniſhment; and that, with
" the reſt, this likewiſe be preſented to the king."

What in other reſpects the paper to be preſented to the king was intended to contain, may be inferred from the ſpeeches that ſuggeſted it; and it was doubtleſs to an over anxiety to include in it as many as poſſible of the exiſting cauſes of diſcontent, that the failure of completing it as at firſt intended was due. But, for this, compenſation was to be made at the like violent cloſe of the following parliament, when none of thoſe topics were forgotten; and meantime a ſubſtitute was found. While yet members following Seymour were speaking boldly of the duke's ill-government; and, in reply to Edmundes and Naunton, who for a purpoſe of their own had occupied largely the time of the houſe, were inſiſting on the neceſſity that his majeſty ſhould plainly be informed, without more ado, that whoever it might be that had put king and kingdom in ſuch hazard *muſt be made to anſwer for it*; Mr. Glanvile entered haſtily, and ſaid that they had not time to finiſh their remonſtrance as voted. He had ſubſtituted therefore, a ſhort proteſtation, which he then preſented for acceptance by the houſe. It was immediately read. In terms ſcrupulously obedient and loyal, and with expreſſions of devoted attachment to their ſovereign, it declared their purpoſe at the proper time, and in a parliamentary way, to diſcover and reform grievances and to ſupply the exiſting and all other his majeſty's juſt occaſions and wants; and it warned him of the danger of holding council with thoſe who would poiſon his ear againſt them, beſeeching him to believe that a

juſt Engliſh king could have no greater ſecurity than the true and hearty affections of the commons of England.

While yet the chairman was reading, for the houſe ſat in committee, the knock of the black rod was heard at the door, and the Speaker roſe to reſume his chair and admit that royal meſſenger. "No, no," was the general ſhout; other members roſe to prevent him; the proteſtation was put to the vote and paſſed; and order for its inſtant tranſmiſſion was made. Mr. Solicitor was required to take charge of it; all the privy council who had ſeats were to preſent it; and it was "to go "with all ſpeed." It was thus haſtened to the king while yet the uſher of the black rod waited without undelivered of his fatal meſſage.* Eliot thus deſcribes it and the iſſue.

"It was by the penne of Mr. Glanvile, who had "our thanks; and it was forthwth read, and ordered to

* The only account hitherto exiſting of this extraordinary ſcene, ſo exactly the forerunner of others more widely known as this unhappy reign went on, had been given by Sir Philip Warwick (*Memoires*, 13). "Being "then resolved into a grand committee, and having ſome inkling of what "was determined, when the black rod knocked at the door with his ſtaff, "*the men of the Tribunitiall ſpirit* (for God be thanked we have no ſuch "officers among us, though we have orators) would not let Sir Thomas "Crewe take the chair to admit the king's meſſenger until one Mr. "Glanvile, an eminent lawyer, and of a warm temper, had &c. &c. "Which was a wild and tumultous eſſay to be made at a committee, ex- "preſſing much fervour but no prudence..... So abruptly and tumultuouſly "ended this firſt parliament." I may here put the reader on his guard againſt accepting Howell's *Letters* implicitly where queſtions of date are concerned; the contents of that delightful book having been put together "for the preſs" without any regard to conſiderations of that kind. Thus when he writes (191) to his uncle Trevor, on the 6th of Auguſt 1626, *from Oxford*—"I am ſorry I muſt write to you the ſad tidings of the "diſſolution of the parliament here, which was done ſuddenly. Sir John "Eliot was in the heat of a high ſpeech againſt the D. of Buckingham, "when the uſher of the Black Rod knock'd at the door and ſignify'd the "king's pleaſure, which ſtruck a kind of conſternation in all the houſe" —the letter is an evident compilation from one or two letters of widely different dates, and the main incident refers rather to the ſecond parliament, diſſolved in June 1626, than to this Oxford parliament, cloſed as we ſee in Auguſt 1625.

" be preſented to the king by the privie councillors " of our house. W^ch being ſoe agreed and done; and " ſome hurried motions, made for clearing thoſe by " general ſuffrage that were thought ſubject to diſtaſt " for their expreſſions in that place, being rejected as un- " neceſſarie, former experience having prov'd them to be " uſeleſſe and unprofitable; the uſher of the black rod " was *then* admitted with the fatall meſſage to the houſe. " The ſpeaker left his chaire; and being attended by the " reſt, went preſentlie to the lords, where the commiſſion " was then read, and ſoe diſſolv'd that parliament."

An intereſting paſſage follows this in Eliot's manuſcript. He ſays that the reaſons of ſtate, and all conſiderations of good policy, were ſo ſtrongly againſt the ſtep thus taken by the court, that it was ſuppoſed even the duke's influence might have failed finally to carry it but for a notable project which had then firſt been conceived, to make ineligible for ſeats, in caſe another parliament were found unavoidable, the moſt active of the commons, " by charging them w^th imploiments that might " make them uncapable of the parliament: preſuming " thereby others would be deterr'd, and the whole " abilitie of that houſe extracted w^th thoſe perſons: ſoe " as noe man ſhould remayne of knowledg or affection " to conteſt them." A deſign afterwards put in force, we ſhall ſee, with no good reſults to its authors; as indeed the way in which Eliot ſpeaks of it ſhows that no ſuch reſult was poſſible. There is not merely a quiet ſcorn in his expreſſions; but there is that feeling underlying them which accounts for ſo much of the greatneſs of this time, and of which with a manly modeſty Eliot knows that he but ſhares in common with men around him. It is the feeling unobtruſive of ſelf; ſubordinating ever the lower to the higher motive, in public as in private exertion; and putting always firſt the work to be done, never doubting to find men fit to do it.

" Soe ſhallowe are theſe rivalets of the court, that

" they thinke all wiſdome like their murmure. King-
" domes they will meaſure by the analogie of their rules.
" But in this they deceave themſelves, as, in all other
" things, the world. And as they judge of kingdomes,
" kingdomes may judge of them. Great is the varietie
" in a kingdome, both of knowledg and abilitie. Great
" is the varietie of perſons, and of their ſtudies and
" exerciſes to acquire and attaine. The formes of wis-
" dome are as various as are men's. As one is bould
" and active, another will be cautious and reſerv'd. This
" plotts, that ſpeakes, a third judges and diſcernes. And
" in all theſe ſome are excellent, *yet appeare not while*
" *their workes are done by others; but are content and*
" *happie to be ſhadow'd in themſelves*, all difficulties
" being declined, dangers prevented, and their deſires
" made good. Yet againſt all, when neceſſitie ſhall
" require, they will, and are readie to, ſtand forth. Soe
" did it prove in this."

Upon the immediate effects of the diſſolution as well beyond as within the court, Eliot makes alſo ſome remark. It gave real ſatisfaction to none. The courtiers were too much afraid of the future to enjoy the temporary relief; and the commonalty underwent ſuch ſudden alteration and great change, from extremity to extremity, in regard to Buckingham, that the proſpect ſeemed full of danger to " myndes well compoſed."* The naval preparations, too, left without apparent ſupport, were a ſource of univerſal anxiety and apprehenſion; no man not in the ſecrets of the court knowing

* " The great hope they " (the people) " had conceav'd, to be wither'd in
" the ſpring, caſt a blacke face of ſorrowe over their whole affections. This
" to be done by him from whom the contrarie was expected, added to that
" an anger. Divided between theſe, their thoughts and times were ſpent.
" All men poſſeſt their neighbours that that meeting was the duke's. That
" he, to color the follie of his enterpriſes, had practis'd to entitle them to
" the parliament. That upon the parliament diſcovering his practice and
" corruption, to ſecure himſelf therein he had raiſ'd a jelouſie in the king,
" by w^ch^ that breach was made. This was beleiv'd of all." *Eliot MS.*

the deſign, and all men, the courtiers in eſpecial, being fearful of the iſſue. *

Amid ſuch diſſatisfaction and foreboding, this opening parliament of the reign, in little more than ſix weeks after its firſt joyous meeting at Weſtminſter, came to a cloſe at Oxford. An abrupt and ungracious cloſe it is called by Clarendon, who cannot but "let himſelf looſe" † to ſay, that no man could ſhow him a ſource from whence the waters of bitterneſs ſince taſted ſo abundantly had more probably flowed, than from ſuch unſeaſonable, unſkilful, and precipitate diſſolutions. Laud in his diary is content to mention what had happened without other addition than that preſently after the parliament began at Oxford a great aſſault was made againſt the Duke of Buckingham. Even Mr. Drake, couſin and friend to Bagg, writing to that worthy to regret that he was not at Oxford to have given his voice, deſcribing how the great duke had been dealt withal by his enemies, and exultingly hoping that his grace will and ſhall bear up and triumph yet in ſpite of all of them, is fain to call the diſſolution *an unhappineſs*.

Bagg nevertheleſs was extremely happy, ſince he had now obtained ſome part of what he ſo diligently had worked for. He was vice-admiral of Cornwall, and ſoon to become Sir James.

* "Manie things were obnoxious to them" (the courtiers), "made "them even obnoxious to themſelves. The preſent preparation of the "ffleet, and the eye the world had on it, w^ch^ could not be prevented or "declin'd; the future expectation of a parliament, and the ſatisfaction "to be given it both for the ffleet and them; were a terror in their harts, "running through all their motions. For, as they were conſcious to them-"ſelves of the publick injuries they had done, w^ch^ they heard cal'd upon "at that meeting and could not think would be forgotten in the next; ſoe "they could prophecie, for the ffleet, what ſucceſs ſhould follow it, judging "either by their counſells or themſelves." *Eliot MS.*

† *Hiſt of Rebell.* i. 6-8.

BOOK SEVENTH.

SECOND PARLIAMENT OF CHARLES THE FIRST.

1625–1626. ÆT. 35–36.

I. Eliot at the Fleet's Sailing and Return.
II. Eve of the Conflict.
III. Leading the Oppoſition.
IV. The Saint Peter of Newhaven.
V. Eliot and the King.
VI. Buckingham Impeached.
VII. Eliot ſent to the Tower.
VIII. The Remonſtrance and the Diſſolution.

I. Eliot at the Fleet's Sailing and Return.

ON the diſſolution of parliament Eliot returned to the weſt, and reſumed thoſe duties of his office which involved no direct communication with the lord admiral. He buſied himſelf in efforts to protect the coaſt, as to which the means at his diſpoſal appear to have been ſtrengthened by what had paſſed on this ſubject in parliament. It fell to him neceſſarily alſo, as vice-admiral, to continue to preſs ſeamen for the work in hand; and for a time he was left to the ordinary diſcharge of his employment, in theſe and other reſpects, undiſturbed by intriguers againſt him.

The tone ſo reſolutely taken in the houſe of commons by men of large and various influence had indeed not been without manifeſt effect. Though Mr. Drake wrote ſo confidently to Bagg, in ſpite of the

diſſolution and its "unhappineſs," of the duke's ultimate triumph over his aſſailants, what further he writes to that worthy from his houſe in the weſt is anything but triumphant in tone. The duke had been compelled to give pledges that ſomething ſhould at once be done againſt the pirates, and Mr. Drake hopes that Sir Francis Stewart or ſome others were already gone out againſt them. He knew of courſe that Sir John Eliot had left for the weſt on this and other matters; and he has himſelf hurried down there to be ready for my lord, who had promiſed to viſit at his houſe on his way to Plymouth. Mr. Drake is ſo uneaſy, notwithſtanding, that he would give anything to ſpeak to Bagg privately before my lord arrived. Eſpecially he prays Bagg, however, reverting to what he had mentioned firſt, to have a good care that the ſhips which were to go againſt the Turks, "if they be nott gone, be "haſtened with what ſpeede may be, for itt ſtandeth my "lord's honour much." The matter of the preſſing of ſeamen, too, was very urgent; and if Sir Francis Stewart "had hard whatt was ſaid in parlamentt, he wold have "had more care to whom he granted his commicion," for one of his fellows had abuſed it frightfully.* In ſhort, Mr. Drake had evidently been more impreſſed than ſatisfied by what he heard during that Oxford ſitting.

To ſomething of the ſame feeling in the courtiers generally it may perhaps be attributable, that up to this time, notwithſtanding the deciſive and prominent part he had at length taken openly with the commons, Eliot ſtill maintained friendly relations with Conway; whoſe ſon, Strafford's correſpondent in later years, paſſed his Chriſtmas holidays at Port Eliot after his return from the Cadiz expedition.

The grand object now was to get that ill-fated expedition ſtarted with all poſſible promptitude, the

* MS. S.P.O., 16th Auguſt, 1625. Mr. John Drake to his "worthy coſen" James Bagg Eſquire, vice-admiral of Cornwall: from Aſhe.

profoundeſt ſecrecy being ſucceſsfully kept to the laſt as to its preciſe deſtination. It was for this the lord admiral was gone in perſon to Plymouth; and it was for this the ill-adviſed king now began the practice at home which brought him all his after miſeries, of raiſing money without a parliament. He levied the tonnage and poundage duties, although he had refuſed aſſent to the bill which alone would have made them legal; and he reſorted to the expedient, not without precedent but of dangerous application, of ſending forth privy ſeals. Returns were required from the counties of ſuch perſons as were able to give, and what amount; upon which privy ſeals were ſent to each, with order to the collectors to return the names of all who refuſed, or complied reluctantly. An indication of the feeling now prevailing as to Eliot in his county is afforded by the fact, that opportunity was taken of his abſence on the work of his vice-admiralty to ſend his father-in-law one of theſe privy ſeals, levied with peculiar hardſhip.

At laſt, in little more than ſix weeks from the diſſolution, the armament was ready and about to put forth to ſea. It conſiſted of ninety ſail, large and ſmall ſhips, carrying 5,000 ſeamen and 10,000 ſoldiers, and commanded by the Sir Edward, ſon of Robert Cecil, of whom we ſhall ſhortly hear Eliot ſpeak not unkindly; but who had ſerved in the low countries with no great reputation, was unpopular with the fleet, and had had no experience at ſea. Beginning here as everywhere at the wrong end, he was promoted before he ſailed; and the title of Viſcount Wimbledon, meant to give dignity to his command, had exactly the oppoſite effect. He had been left alſo, though with the title of lord marſhal and lieutenant-general, ſubordinate ſtill to Buckingham as general, much to the merriment of the fleet itſelf; who laughed heartily when the courtiers called one their general, and the other their generaliſſimo.

But Eliot himſelf has left a ſtatement upon theſe

points which is very characteriſtic. In it he expreſſes his belief that at the laſt, if a fair excuſe could have been ſet up, the expedition would hardly have gone; he ſays that it was "the eye the world had on it," and the ſtatements made in parliament, which cauſed it to be perſiſted in; and he makes this very intereſting addition, that the common people, believing the preparation to be more formidable than it really was, and having a hope that ſome vital blow was at length to be ſtruck at Spain, had their expectations of ſucceſs more highly raiſed than thoſe who knew more of the arrangements were juſtified in feeling. It is a pregnant comment on this remark that the main charge for victualling the expedition had been entruſted to Bagg.

"As the ffleet muſt be ſett out," continues Eliot, "the D was held too pretious to be adventur'd in a "voiage, whence nothing but loſſe and diſhonor might "returne. However, the commiſſion that was granted "him muſt ſtand; that what glorie could be had (as all "ſuch expeditions afford ſome in their entrance and "beginnings), might be added to his trophies: and "what the exitus might import, ther was another nam'd "to ffather it, for whom likewiſe a commiſſion was "diſpatcht of the ſame power and latitude; but ſubor-"dinate to the other. This ſubſtitute was S^r. Edward "Cecill, brother to the then Earl of Exeter, a man "whom yeares and experience might have ſquar'd for "better purpoſes and imploiments. His whole time "and ſtudie had been ſpent upon the warrs. He then "retain'd, in the ſervice of the States, the command of "a regiment of ffoote. His reſpect with them, for the "qualitie of his blood, was noe detraction to his meritt. "His carriage and deportment were not ill; his preſence "good; his converſation full of affabilitie and court-"ſhip; and in his affections ther was doubted nothing "that was corrupt. Facility was the greateſt prejudice "he was ſubject to; w^ch rendered him credulous and

"open to thoſe that were artificiall and obſcure. Whereby "he became expoſ'd, and ſubſervient to their wills, and "was drawne to tread thoſe paths w^e^ themſelves re- "fuſ'd to walk in. His commiſſion ſtil'd him, in the "preſence of the D, lo. marſhall of the feild: the D, "by land and ſea, being appointed generall: but in "his abſence, it did make him generall, as himſelf. Upon "w^ch^ ther aroſe an adulation in the court, that was not "w^th^out laughter to the ſoldiers; the D, for ſuper- "excellence, being term'd generaliſſimo in their dialect, "and the other alwaies generall. Soe as *this* had at noe "time leſs than was his due: *that*, as in all things elſe, "had more."*

On the 4th of October the fleet ſailed, and on the 6th Eliot wrote from Plymouth to Lord Conway. He had been aſked by Sir William Courtenay to tranſmit certain papers to him, and could not omit ſo fair an opportunity of again ſhowing Conway the ſervice he ſo much coveted to endear on all occaſions, and ſhould be ready on his commands faithfully to expreſs. His ſon, he tells him, has been ſafely ſhipped, and is gone. Eliot had accompanied him to ſee him under ſail on Wednesday morning, when, he ſays, part of the fleet went forth with a fair wind, the reſt following them in the afternoon; but, the wind ſuddenly changing, the ſecond detachment of ſhips had again put back into the ſound. The firſt, he believed, had made Falmouth harbour. He proceeds to tell Conway that admiral Naſſau with his Dutch ſhips had arrived happily in Plymouth juſt in time to meet the fleet as they were going out. They had come to attend my lord duke in the Anne Royal on his ſetting forth for the Hague, and witneſſed what Eliot calls the compliment of the duke's parting with the lord marſhal, the generaliſſimo with the general. The "concurrence" altogether, Eliot tells my lord the ſecre-

* From the MSS. at Port Eliot.

tary, had been conceived for a prediction of good ſucceſs to the undertaking; but he has hardly written the words, when an occurrence of leſs favourable promiſe rebukes all ſuch predictions. "At this inſtant," he reſumes, in the few hurried ſentences which cloſe his letter, "the ſhips that laſt night came to anchor in the ſound "are with the ſtorme forc't in againe to Catwater with ſuch "haſt and fear, as divers of them have fallen fowle of one "another, and are in trouble to clear themſelves, I hope "without much harme or prejudice. I am now call'd upon "to ſend out boats and men unto them, which makes me "haſtie to that ſervice, and a little confuſed in this dis-"patch. But your lordſhip's wiſdom, I preſume, will "meaſure the neceſſitie, and make it a circumſtance "of my excuſe for which I am now your humble ſuitor "and ſhall be ever your lordſhip's moſt devoted ſer-"vant, J. Eliot."*

Amid ſuch conflicting omens the Cadiz expedition failed. And ſo, directly after, ſailed Buckingham for the Hague attended by Lord Holland: with a deſign to viſit Paris, in which Richelieu baffled him; with a purpoſe alſo to conclude, if poſſible, by help of the States, a general league againſt the houſe of Auſtria, in which he failed yet more decidedly; and carrying with him the crown plate and jewels of England with a further plan to raiſe ſupplies upon them, as to which he failed worſt of all. Nor was he allowed to ſet forth on theſe hair-brained ſchemes without warning of a ſtorm gathering againſt him, greater than any that had driven back the ſhips to Catwater.

"All men ſay, if you go not with the fleet," wrote Thomas Lord Cromwell † to him, "you will ſuffer in it,

* MS. S. P. O. Eliot to "the r^t honor^ble my verie good lord y^e lo: "Conway, principall ſecretarie to his ma^tie. Plimouth, 6° Octobris, 1625."

† This was the fifth lord in deſcent from the Cromwell of Wimbledon, Harry the Eighth's Cromwell, to whom the greater Oliver was undoubtedly of kin. He obtained afterwards the earldom of Ardglass in Ireland.

" becauſe if it proſper, it will be thought noe act of " yours, and if it ſucceed ill, they ſay it might have been " better had not you guided the king." This very candid lord had been promiſed a ſhip, and perhaps thought that a little plain ſpeaking might, even at the laſt, obtain his wiſh. But whatever his motives may have been, there were home truths in his letter not the leſs valuable becauſe from a quarter unexpected. Already, he proceeded to tell the duke, men were laying wagers that of neceſſity a parliament ſhortly muſt be, and that, whenever it came, it would ſurely much diſcontent his grace. " Let it ſit when it will, begin they will with wher they " ended." And would his grace know the moſt fruitful ſource of all diſcontent? It was, that even the beſt lords of the council were kept in total ignorance of what was going on.* They knew nothing of Count Mansfeldt's journey, they knew nothing of the deſtination of the great fleet, and not a ſingle grave man was known to have his grace's ear except the good and noble Conway. Therefore were the beſt ſort the moſt diſcontented, and they ſaid it was a very great burden his grace took upon him, and that his letting no one know anything but himſelf, and not permitting others to bear part of his burden, might ruin him. " Which heavens forbid," the writer fervently adds. " Soe much I deſire to ſee your grace " trample the ignorant multitude under foote, that I " give you this talcke of the wicked worlde, and " becaus I ſeldom am honored with your eare I thus " make bould with your all decerninge eye, which I " pray God may be inabled with power and ſtrength daly " to ſee into them that deſir your ruin." *

* MS. S.P.O. Dated from Fulham, 8th September, 1625. A copy of this letter, not very accurately printed, is in the *Cabala* and in *Ruſhworth*. Other paſſages in it are hardly leſs characteriſtic of the mixed feeling of hope and dread, of the ſenſe of ſomething that ſeemed to render unſtable and uncertain an almoſt illimitable power, which prevailed concerning Buckingham at this particular time. The ſhadow of the future had begun to reſt viſibly over him.

Shortly after the time when Lord Cromwell was thus writing, another letter writer was putting the ſame facts in somewhat different form before Sir Thomas Wentworth. Deſcribing the duke's departure for the Hague, Sir Arthur Ingram proceeded to tell how heavy his grace's hand lay upon certain great perſons about the court, and that who he will advance ſhall be advanced, and who he doth but frown upon muſt be thrown down.* Deſcribing the great officers of the kingdom who generally were his creatures, and at his command, he ſingled out four who were nevertheleſs underſtood to have kicked againſt their maſter, and to be at preſent in communication with the leaders of the late oppoſition in the lower houſe. They were the Archbiſhop of Canterbury, the Lord Keeper, the Lord Marſhal, and the Lord Chamberlain; and Ingram wrote as if Wentworth were himſelf perfectly aware of ſuch a co-operation of the leaders of the commons with theſe members of the upper houſe as already ſufficed to render them an oppoſition likely to prove in another parliament yet more formidable.

It was quite true. The diſſolution had brought men together who had not before acted in concert, and it was no longer a mere intrigue of Williams's, but a ſtrong party combination, that Buckingham had to dread. Not that any interference from the lords could make a movement in the commons more dangerous, but that, if the prevailing rumours as to Lord Briſtol were true, a movement might be expected in their own houſe. It was ſaid that that lord, ſo long kept under ſhameful durance at Sherborne, had reſolved at all hazards, when another opportunity ſhould preſent itſelf, to force his caſe into public notice; and the matter is mentioned here becauſe of the circumſtance that Eliot's friendly relations with Conway at the time did not prevent his

* *Strafford Diſpatches*, i. 28.

inceſſant communication with the men belonging to both houſes who had grown thus impatient of Buckingham. With them, as far as poſſible, there is no doubt he was at preſent acting, and waited only the inevitable ſecond parliament to declare with them for an impeachment of the miniſter. He will ſhortly be ſeen holding correſpondence with ſome of the malcontent lords; and to him, as we have ſeen, even in his character of vice-admiral, had been firſt intruſted an incident more ſeriouſly affecting the king and his favourite, and that ſyſtem of withholding ſtate ſecrets from the council of which Lord Cromwell complained, than any which yet had occurred.

When Eliot next wrote to Conway, an apprehended conflict in Fowey harbour between portions of the French huguenot and of the French royaliſt fleets, formed the ſubject of his letter. Apprehenſive always of any formal rupture of peace with Richelieu, he was not more anxious for the ſake of Soubiſe himſelf, than for the ſafety of the Engliſh town and the continuance of friendly relations with France, to prevent a poſſible attack on the huguenots in Fowey, and the conſequences to which it might lead. He craved therefore, through Conway, interference from the council with M. Mentu the royaliſt admiral. He preſumed to interfere, he ſaid, becauſe of the fears of thoſe weſtern parts. The inſolences and threatenings, one to another, that paſſed between the rival Frenchmen, occaſioned the Engliſh along the coaſt great doubt how far the conſequences might concern them if there were not ſpeedy prevention. The royaliſts were at Falmouth, and Monſieur Soubiſe and his men at Fowey, where the others threatened ſhortly to viſit them. But Fowey was a place ſo weak and indefenſible that if they ſhould quarrel in that harbour there could be no protection for the town, and it would have to ſtand expoſed to all the prejudice and dangers that were like to enſue. The parties were on both ſides much incenſed, and preparing all the

miſchief their ſhips could afford; putting themſelves in order for battle, in ſhort; ſo that if an encounter ſhould follow upon their fighting each other, the weſtern people were greatly troubled at the expectation, much feared the iſſue for themſelves (the town of Fowey eſpecially), and craved ſome remonſtrance to be made thereof to his majeſty. This, therefore, for the neceſſity and their deſire, Eliot was enforced thus haſtily to recommend to Conway's hands, with whoſe nobleneſs he was confident to find ſuch acceptance and deſpatch as the importance might require. Encloſed with his letter went alſo a letter to the lord lieutenant of Devon from his deputies in the county concerning the ſame buſineſs, an advertiſement having been received from them craving that conveyance. He ſhould pray his lordſhip to give it paſſage; and as occaſion ſhould ariſe whenever his weak ſervices might be uſeful, he was ready to obey the ſecretary of ſtate's commands, and in all things to be his lordſhip's thrice humble ſervant, J. Eliot.*

The remonſtrance thus made ſeems to have had its effect, for the attack apprehended did not take place. A danger nevertheleſs aroſe from another quarter, threatening, hardly leſs evil conſequence to the good underſtanding between England and France, and affording final juſtification to Eliot and his friends for their increaſing hoſtility to Buckingham. It was the caſe of a French ſhip with a cargo of extraordinary value, ſeized by officers of the lord admiral under pretence of her carrying Spaniſh goods; her cargo made the object of plunder and extortion, in which Bagg played a conſpicuous and infamous part; and the ſhip herſelf, after her releaſe and reſtitution of her lading had

* MS. S. P. O. Eliot to "my verie good lorde y^e^ Lorde Conway, "principall ſecretarie to his ma^tie^ att court. Plimouth 26^o^ November "1629." Indorſed by Conway. "S^r^ John Eliott advertiſinge the jea- "louſies of ſome violence betweene the Vice Admirall Mons^r^ Mentu and "Mons^r^ Soubize's ſhipps. The apprehenſions the country hath of it and "ſpecially Foy."

been directed not merely by order of the council but by formal decree in the admiralty court, again detained by ſpecial order of Buckingham. The circumſtances led to great excitement in conſequence of the ſharp repriſals made by France, whereby not only were Engliſh ſhips ſeized at ſea but embargo was laid on Engliſh merchant goods in French ports. There had been no ſuch excitement connected with any maritime ſeizures in the weſt; and Eliot appears to have taken part in it with very ſtrong reſentments, ariſing not merely from the views he held of the evil policy of making an enemy of the French nation, but from the perſonal wrong done to himſelf by deeds committed in the name of the admiralty adminiſtration which reflected diſcredit upon the office he held, and made him in ſome degree reſponſible for acts done by more wicked inſtruments. It was in the midſt of the agitation cauſed by this caſe of the St. Peter of Newhaven that news of the great diſaſter came.

In the middle of October the expedition had ſailed. Its inſtructions, made known ſimultaneously with the failure of all the extravagant hopes built upon them, were for the deſtruction of ſhips and ſtores in Spaniſh harbours, for ſeizures of treaſure, and for the interception of a rich convoy of Spaniſh merchantmen from the Weſt Indies. In plain words, it was an attempt to fill the king's empty coffers by a piratical foray on the wealth of Spain; and hence the zealous and ſecret appetite with which both king and duke had at the firſt purſued it. But ill-manned, ill-proviſioned, and ill-commanded, it failed in every point. Sailing for Cadiz bay, the ſhipping in that harbour might with eaſe have been taken; but the Spaniards were able to ſecrete their ſhips further up the harbour while time was loſt at Fort Puntal, which, after the Engliſh captains had waſted their batteries upon it for four-and-twenty hours, ſurrendered, at the mere ſummons of a portion of the troops who were landed next day, without firing a gun. Wim-

bledon, landing the reſt of his troops, then gave orders for the deſtruction of the communications with the main land which Eſſex had found eaſy in the great queen's time, and which, if the Suazzo bridge had now been as promptly ſtruck down, would have laid Cadiz open to an effective attack. But, as Eliot afterwards bitterly deſcribed it, it was a dry and hungry march into a drunken quarter. Diſcovering on the way ſeveral cellars ſtored with wine, the troops became inſubordinate, drunken, and diſorderly; and Wimbledon in a fright, without either a capable man's reſource or a ſtrong man's deciſion, carried them headlong back to the fleet without having ſeen an enemy. At firſt he thought of retaining Puntal for better intercepting of the expected convoy, but all attempts to reſtore diſcipline were hopeleſs, and he re-embarked with ignominy. He then cruiſed about after the Spaniſh fleet for eighteen days; ſuffered it to eſcape him unobſerved during the night; and returned to Plymouth with diſeaſe and mutiny raging on all ſides around him, the officers loud in denunciation of his incompetency, and the men decimated by a ſickneſs which they attributed to foul play and diſhoneſty in proviſioning the ſhips. Hundreds of ſeamen and ſoldiers were landed in a dying ſtate,[17] and more than a thouſand were ſaid to have periſhed before the ſhips reached harbour. For many months to come the appalling extent of the diſaſter ſhowed itſelf viſibly in every road and town on that weſtern coaſt, and above all in the ſtreets of Plymouth.

There was an inquiry, and of courſe nothing was elicited. The diſcontents of thoſe engaged in the buſineſs were repreſented chiefly by the ſon of that Eſſex who had ſtruck ſuch a blow at Cadiz with a far inferior force, and his complaints had begun before the expedition ſailed.* But as the officers preferred their charges

* Poor Wimbledon's was a hard caſe; for though as general he had all the reſponſibility for capacity or the reverſe in thoſe he commanded, Buckingham as generaliſimo had made patronage of all the appointments!

againſt Wimbledon, he in return accuſed them and accuſed everybody, and ſo the idle reproach went round for months, with no reſult but to add to the keen mortification of the king and the favorite, by turning all men's thoughts in the one direction where alone reſponſibility could be fixed. Beyond queſtion, this Cadiz expedition was the turning point of Buckingham's fortunes and of the hopes of the new reign. It rendered neceſſary a ſecond parliament, when the court was weakeſt to reſiſt demands that were ſure to be made; and it ſtrengthened, at a critical time, the combination that was forming againſt Buckingham. Here he had ſecretly planned everything, the arrangements were wholly his, and his was the guilt of the failure. Where was the ſecurity againſt future humiliations like this? A cry of ſhame roſe on every ſide; and the national diſcontent which was ſoon to find eloquent expreſſion, now firſt took the form of that belief into which it ſettled univerſally at laſt, that there was no hope for the kingdom or the king till this all-powerful and all-incapable miniſter ſhould be ſtruck down.

The ſhips came ſtraggling back into Plymouth through the firſt three weeks of December, and on the 22nd of that month Eliot had occaſion to write to Lord Conway. He had been aſked to ſend, in his official packet for the ſecretary of ſtate, a letter from Conway's ſon with particular charge that it ſhould be conveyed to his father's hands. In that Eliot was happy to ſerve both father and ſon, to both of whom he felt ſo much engaged as to make him hold it for an honor that he ſhould be commanded by either. In the general letters tranſmitted, Conway would find ſome return to the

"Though your grace," wrote Lord Cromwell, in the letter already quoted (*ante*, 452), "hath placed a noble gentleman in the regymét was intended to "my Lo of Eſſex, yet I will not diſpair of yo^r favor, or that you will not "give me ſom taſt of y^t as well as to any other; I will ſtudy to be a de-"ſervinge creture."

commiſſion they had received concerning the troops, and ſome account of a ſervice wherein there was much difficulty. It will be remembered that the victualling of the ſhips had been entruſted to Bagg,* and Eliot now without reſerve proceeded to ſpeak of that tranſaction. "The miſeries before us," he ſaid, "are great; and "great the complaints of wante, and illneſs of the "victuall. There is now to be buried one Captain "Bolles, a landſman, whoe dyed ſince theire cominge in; "and with much griefe expreſt the occaſion of his ſick-"nes to be ſcarcetie, and corruption of the proviſions. "The ſouldiers are not in better caſe. They are in "greate numbers contynually throwen overboard; and "yeſterday fell downe heere ſeaven in the ſtreetes. The "reſt are moſt of them weake; and unles there be a "preſente ſupplie of clothes, there is little hope to "recover them in the contries where they lodg'd. "Theis thinges I preſume to intimate to your lordſhip on "whoſe wiſdome is repoſ'd the greateſt confidence of the "countrie,† for which as my coñion intereſt ſhall make "mee your debtor, my perticular obligations doe likewiſe "binde mee, to an admiracon of your honor and worth, "wherein I am devoted your lordſhip's thrice humble "ſervant, J. Eliot." ‡

Other correſpondents of Conway were at the ſame time writing to him as unreſervedly. One of the ſea captains engaged, Sir Thos. Love, ſummed up his charge againſt thoſe who had ſet forth the fleet, as having ſupplied it with men ſick, victuals bad, drink ſcarce, and ſhips leaky. Sir Michael Geere declared that the meat was not in quantity half the king's allowance, and that

* In *Yonge's Diary*, 89, will be found bitter mention of Sir James Bagg in connection with this buſineſs as "worthy the halter."

† This word, the reader will remember, was uſed always for what we ſhould expreſs by "county."

‡ MS. S. P. O. Eliot to "my verie good lord the Lo: Conway, princi-"pall ſecretarie to his ma^tie att courte. From Plimouth, 22^d December, "1625."

it ſtank ſo that no dog of Paris garden would eat it. With which letter went at the ſame time appeals from Conway's fellow ſecretary, Sir John Cooke, imploring help for God's ſake in procuring money. Without money they were all ruined. The advances for this miſerable expedition had not been paid, and now without preſent means the unhappy ſeamen and ſoldiers could not be diſcharged. If money were not ſupplied, the danger would be greater than the miſery and more grievous to be borne.* So preſſed, Conway had no alternative. The privy ſeals were at this time due; and there had been a propoſal, as parliament muſt ſo ſoon be called, to diſpenſe with the collection. But a month's delay might be fatal, and the collectors were ſent round. The people were to be heavily and lawleſſly taxed for the very enterpriſe that was daily cauſing them ſo much bitterneſs and ſhame.

In his next letter from Plymouth, written nine days after the laſt, Eliot has a ſuit to urge in connection with thoſe privy ſeals, which were everywhere promptly provoking diſſatisfaction and reſiſtance. The deputies appointed for the levy in Cornwall had ſhown their ſpleen againſt himſelf by returning his father-in-law, Mr. Gedie, for an exorbitant amount. There was no pretence of diſaffection in the caſe. Mr. Gedie had ſerved only the preceding year as ſheriff of Cornwall, and his eſtate was ſtill ſuffering from expenſes conſequent thereon. Yet he was certified for an amount of which the oppreſſiveneſs appears in the fact that it doubled the higheſt impoſed upon ſome of the richeſt eſtates in Yorkſhire, Sir Thomas Wentworth being taxed for twenty and Mr. Gedie for forty pounds.

"Moſt honor'd lord," Eliot wrote, "as your favors "have manie waies oblig'd me, and I am your debtor, "though in noe ſervice able to be even with ſoe great a

* MS. S. P. O. Theſe letters will be found under the reſpective dates of the 11th, 14th, and 30th December 1625.

" meritt, yet in aſſurance of the ſame continued noble-
" neſs by which I am ingag'd I ſhall now preſume to
" kiſs your hands in a ſuite ſo eaſie, as I hope it will in
" itſelf ſeeme rather fitted to curteſie than doubt. It is
" for the freeinge of a privie ſeale charg'd for fowertie
" pownds upon my father in law Mr. Richard Gedie,
" who, though he be indebted and was laſt year at a
" great expenſe for the publicke ſervice on the ſheriff-
" wicke of Cornwall, out of ſome particular diſaffections
" and reſpects of the deputies in my abſence and imploi-
" ments abroad in the buſineſs of my lord admirall, was,
" it ſeemes, certified and made a reliefe for ſome other.
" The ſumme we value not; and, I beſeech your lord-
" ſhip, conceave me not for that apt to importune or
" underprice your honor in the trouble of ſoe poore a
" thinge. But the circumſtance, which gives it another
" taſt; and the ſatisfaction of my father in law, that to
" me is of farr more conſequence; I deſire your lordſhip
" to make my interpreters, and to receave them as my
" excuſe. For theſe reaſons I humblie praie your lord-
" ſhip's help to give us a diſcharge, which to your power
" I know as eaſie as your will: either commanding it
" out of the office, or by an order from your lordſhip on
" the counſell table, which ſignified heer to the collectors
" will inſtantlie prevent it. Your wiſdome can ſoone
" direct the waie, wherin, as the ſatisfaction of a father
" maie be to me of ſome advantage, the honor from
" your lordſhip I ſhall eſteeme a happineſs of the moſt
" extent."

It would ſeem hardly poſſible to have aſked a favour with ſo careleſs and light a ſenſe of the obligation to be involved. He will as little permit himſelf to doubt of the eaſineſs as of any common courteſy. He has alſo a ſuggeſtion to make by which Conway, preſſed as he is, will be no loſer. For, that he might not, he continues to ſay, in this ſeem an impediment to his majeſty's great purpoſes, which he ſhould always ſtudy to advance;

and as the taxation of Mr. Gedie himſelf had been made as a relief for ſome other; he had in a note therewith returned a name for that ſupply of yet more ſufficiency and fitneſs, belonging to one that had neither borne public endeavour or charge, and who was in eſtate and money rich and a uſurer, which latter fact, Eliot added with ſarcaſtic alluſion to practices very prevalent in ſuch matters, he believed had made him a paſſage out of the firſt certificate. Leaving this however to Conway, he repeats the other requeſt, and ſays he ſhall not fail to acknowledge the honour of his diſpatch therein. Since his laſt, he concludes, nothing new had occurred there, nor was there any intelligence from the ſhips in Ireland. The ſickneſs and mortality of the troops continued ſtill, and it was thought would breed ſome danger to the country. Conway's noble ſon was well. Eliot had had the honor, thoſe chriſtmas holidays, to wait on him at Port Eliot, from which they had come together to Plymouth laſt night to deſpatch ſome buſineſs with the commiſſioners for the fleet; and he hoped they ſhould return again that day. "I ſhall be happie in anie "thing to ſerve him, and if I may finde opportunities "fullie to expreſſe myſelf, your lordſhip ſhall therin ſee "that I am your moſt humble ſervant, J. Eliot."*

But though writing thus in the tone and with the official deference which became the vice-admiral of Devon, in not unfriendly intercourſe with the king's principal ſecretary whoſe ſon he had been entertaining at his houſe, Eliot was at this time not the leſs firmly ſettled in the courſe he had deliberately choſen, and prepared to run all its riſks and dangers.

Before attending him in it, and following him to London, the diſcovery at Port Eliot of a letter which he addreſſed at this time to the biſhop of Exeter will ſhow what laſt was occupying his thoughts when he left his

* MS. S. P. O. Dated "Plimouth ult. December, 1625."

friends and neighbours in the weſt. Among his eſtates in the pariſh of St. Germans was the manor of Cuddenbeck (or as he writes it Cuttenbeake), long held on leaſe by his family under the biſhop of Exeter, whoſe country ſeat had been there in former years in the manſion afterwards occupied as a jointure-houſe by the Eliots. Here Sir John had been ſtaying before Chriſtmas, and from it he writes to the then occupant of the ſee, Valentine Cary, ex-dean of St. Paul's, who was ſucceeded two years later by Hall, the author of the *Satires*. Eliot was on the kindlieſt terms with both, for both were wiſe and moderate men; and the preſent ſeems not to have been the only inſtance in which Cary had aſſiſted him to make proper as well as popular proviſion for the ſpiritual wants of thoſe around him.

"As I have heertofore," he now wrote, "made "manie trialls of your favor, I am againe encourag'd by "thoſe effects, wherein I have beene formerlie ſoe much "your debtor, to entreat your furtherance and help to "this bearer Mr. Paige, and, in him, to me and the "reſt of my pariſh'ners, who, upon the hope and "knowledge of his goodneſs and ſufficiencie, deſire to "ſettle him heer amongſt us as our miniſter in the "roome of Mr. Dix, now plac't elſewhere, and willing "at our inſtance to leave this cure to him. The ſtipend "belonging to it is ſmall, and not worthie of a ſcholler "or able to maintaine him without helps, which have "heertofore beene added by ſome perticulars,* and I "beleeve wilbe ſtill to a man of their affection and "choiſe. The nomination, I thinke, is properlie in the "deans and cannons of Windſor; the admiſſion, "wholie in your lordſhip; the recommendation in-"different to all; wherein, as I know nothing more "powerfull, nothing I conceave more fitt than your "lordſhip's breath to move it, that the whole worke

* *Individuals*, we ſhould ſay.

" maie bear the character of your favor. The laſt " election was ſoe guided by your predeceſſor; and with " his letters, the nomination being obtain'd from the " howſe, a recommendation came to me in the behalf of " the man preferr'd, upon which I endeavored, as I ſhall " in all your lordſhip's commands, to give ſatisfaction of " my ſervice. The like furtherance I deſire your lord- " ſhip wilbe pleaſ'd to affoord now, in writing a few " words for this bearer to the deane, to draw from him " the nomination; and letters to their ffarmer of the " impropriation heer, for paiment of the ſtipend unto " him. I doubt not but his abilities will render him to " your judgment fitt, and his carriage ſecure me of that " fear which I open'd to your lordſhip of ſome others, " wherein I ſhalbe happie of ſoe good a prevention, " and eſteeme it a ſpeciall honor to be effected by your " means." The cloſing paſſages of the letter have reference to ſome occurrence which beyond the fact ſtated is not known to me; but they confirm the impreſſion conveyed by the whole letter of Eliot's friendly intercourſe with his dioceſan. " I am ſorie your lord- " ſhip has neighbor'd with ſoe manie dangers, and that " the poore cottage which I tender'd to your uſe, was " not fitt to receave you. I ſhould have beene glad of " the opportunitie of ſome neerneſs to your lordſhip " wher my attendance might have had a ſafe recourſe, " which now onlie my wiſhes have ſupplied: but as " ther is occaſion or command, I ſhall alwaies be " expreſt your lordſhip's most affectionat ſervant, " J. Eliot."*

We ſhall ſee hereafter what comment is afforded by this letter upon the poſition ultimately taken by its writer in church affairs. For the preſent we may hope that we have left him, among his tenants and pariſhioners,

* From the MSS. at Port Eliot. " To my Lo. Bp of Exon. Cutten- " beake, 24° Octobris 1625."

to the miniſtry of the man of their affection and choice, the good Mr. Paige; relieved by the biſhop's compliance from "the fear" of having to liſten to any other than pure doctrine; attached to the church by bonds which have not yet been rudely broken; and ready with ſuch zeal and ſervice voluntarily to raiſe her poorer ſtipends as to make them more worthy the acceptance of a ſcholar.

II. Eve of the Conflict.

What had continued to paſs daily in Plymouth and other weſtern ports had been receiving meanwhile a pregnant intereſt from what was paſſing in London. It had been reſolved that the king ſhould be crowned at Candlemas, and that four days later (on the 6th February, 1625-6) parliament ſhould meet. To this end projects were on foot for defraying coronation expenſes by fines of knighthood and other more obſolete and lawleſs expedients, and for protecting Buckingham againſt the parliament not only by the notable ſcheme already named* of diſqualifying for ſeats as many as poſſible of the members of the commons known to be diſaffected to him, but by diſabling ſimilar diſaffection in the lords with bitter example of the ſeverity which the king meant in future to deal forth upon that houſe alſo. On the judges preſenting their uſual liſt of ſheriffs the king with his own hand eraſed ſeven names and ſubſtituted ſeven others: whereby Wentworth, Alford, Guy Palmes, and Fleetwood, who ſubmitted and did not preſent themſelves to conſtituencies, and Sir Edward Coke, Sir Robert Philips, and Sir Francis Seymour, who carried their elections but were not allowed to ſit, were excluded from the houſe of commons.† At the ſame time he called before

* See *ante*, 443.

† "The rank weeds of parliament are rooted up," writes Sir Benjamin Rudyard (ſtill much more of a court than an oppoſition man) to Sir Francis Netherſole, "ſo that in the next we may expect plentiful harveſt!" MS. S. P. O. 23rd November 1625.

him the lord chamberlain Pembroke, and would not ſuffer him to leave the preſence until a ſhow of ſubmiſſion to the favourite had been made; he tried a like attempt, leſs ſucceſsful, with the lord marſhal Arundel, whom he afterwards, on a frivolous pretext, arreſted and ſent to the Tower; and taking the great ſeal from lord keeper Williams, he gave it to his attorney general Coventry. "I go to-morrow," wrote Sir John Suckling to Buckingham, "to the lord keeper's houſe to re-"ceive the great ſeal and be witneſs of the due diſgrace "of one who has been unthankful and unfaithful to your "grace, and I pray that the like misfortune may befall "all ſuch as ſhall tread in his hateful path and preſume to "lift their heel againſt their maker!" * Time had not yet come for proceedings againſt the archbiſhop Abbot, but not many months elapſed before he alſo was ſuſpended; and thus it was proclaimed abroad, by example of four of the higheſt offices in the ſtate,† that whoſoever thereafter ſhould preſume to lift his heel againſt Buck-

* MS. S. P. O. 4th October, 1625. In vain poor Williams proteſted at this time that he was "as great a ſtranger as any lord who ſerved his "majeſty to all thoſe diſaffected perſons who appeared ſo oppoſite to the "royal ends in the houſe of commons:" in vain to the duke himſelf he declared that "he deſired only his love, not any effect thereof in fortune "or honour:" in vain he afterwards prayed the king to "mitigate the "cauſeleſs diſpleaſure of the duke:" he had thrown and loſt the ſtake, and had to ſtay his plotting for the preſent. He reſumed it ſoon, but with powers of miſchief conſiderably abridged.

† Sir Arthur Ingram, in a letter to Sir Thomas Wentworth already referred to (453), had thus deſcribed, on the 7th November 1625, the origin of theſe extraordinary proceedings. He is writing of Buckingham. "All the great officers of the kingdom be now his creatures and at his "command. He hath now brought in Sir Robert Heath to be attorney, "and Mr. Sheldon to be ſolicitor. He was, and is poſſeſſed, *that there were "four in the higher houſe, that upon any complaint that ſhould come up of "him to them, they with all their ſtrength would ſet it forwards there.* He "is likewiſe poſſeſſed that there was divers combined againſt him in the "lower houſe. For them in the higher houſe, it was my lord's grace of "Canterbury, my lord keeper, my lord marſhal, and my lord chamberlain. "*For them of the lower houſe he doth conceive there were many who had "their conferences with thoſe four lords and others that were depend-"ing upon them, among which you are not altogether free.*" Strafford Deſpatches, i. 28.

ingham, might expect the utmoſt perſonal retribution that vengeance could ſuggeſt, or power inflict. How far the leſſon took effect on honeſt malcontents in either houſe will ſhortly be ſeen.

The poſition of Eliot, notwithſtanding his ſtill amicable relations with Buckingham's devout friend Conway, had at this time been finally taken up. Nor will it ſeem ſtrange that he ſhould have maintained ſuch relations with the ſecretary of ſtate to the very eve of his impeachment of the favourite, if we duly weigh and conſider the circumſtances. Theſe I have very carefully examined with the deſire only of forming a correct judgment; and I can find no pretence for aſcribing the deciſion taken by Eliot to any motive that was not honourable. Though his perſonal intercourſe with the lord admiral had for ſome time ceaſed, he held an office under letters patent from which, except upon proved miſconduct, he could not be ſequeſtered; and the correſpondence he ſtill continued with lord Conway after the decided line he had taken as to ſubſidies, and ſubſequently as to Buckingham himſelf, in the firſt parliament, ſhows that however offenſive his opinions might be to the lord admiral, and however far his powers in his county might on that account have been abridged by his former patron, he had yet been left in poſſeſſion of his office, and in the formal exerciſe of many of its powers. In the uſe made of his letters in the preſent narrative no expreſſion has been coloured or ſoftened, and the reader accuſtomed to the phraſeology of the time, and remembering the official deferences in uſe univerſally, will find in thoſe letters nothing that reveals the courtier or dependant. He will yet be careful at the ſame time to remember, that Eliot was a man of action thrown upon a difficult period; eager for influence in his own county; keenly ſenſitive to favour or neglect; with juſt ſo much experience of office on a ſmall ſtage as to have developed the conſciouſneſs of powers that fitted him for a wider

theatre; and thruſt back from all acceſs to ſuch honourable ambition that did not open at the portals of the court. If he pauſed awhile before the move that was to cloſe theſe for ever, who ſhall blame him? If, while one of the conclave of the lower houſe in conference with the four diſaffected lords, and freſh from thoſe fierce debates at Oxford in which he had taken part againſt Buckingham, he yet wrote to Conway as with ſtrong deſire to further the purpoſes of the king, who ſhall deny him the excuſes of a time that made conſpiracy a duty, where ordinary men ſtumbled at every ſtep, and the keeneſt-ſighted daily loſt their way? Sir Benjamin Rudyard was ſtill courtly and compliant, and we have juſt now ſeen him rejoicing that Philips and Seymour ſhould be barred out of parliament as weeds that choked the harveſt; but no one queſtioned his honeſty or patriotiſm when in a few months from the preſent time he took part in Buckingham's impeachment as one of the aſſiſtant managers. Sir Dudley Digges will ſhortly be with Eliot in the Tower, and ſoon afterwards an applicant for the reverſion of the maſterſhip of the rolls; yet he was certainly not a man either diſhonourable or diſhoneſt, however timid he might be. Sir Robert Cotton acted warmly with Eliot and the patriots in the firſt parliament, and at the opening of the third he was tendering counſel to the king in language of which the obſequious forms have yet left no impreſſion unfavourable to his uprightneſs and honour. Wentworth had been marked for diſfavour on the ſame ground as Eliot, yet he, who was to be one of the leaders of the extreme oppoſition in the great parliament of 1628, was now ſounding Conway, within a fortnight from the opening of January 1626, as to the vacant preſidency of the north, and was proteſting that he would not move further in it till he knew alſo how his ſuit might pleaſe my lord of Buckingham, ſeeing that as ſuch a ſeal of his gracious good opinion would comfort

him much, and make the place more acceptable, ſo was he reſolved not to aſcend one ſtep except he might take along with him a ſpecial obligation to my lord duke, from whoſe bounty and goodneſs he not only acknowledged much already, but under the ſhadow and protection of whoſe favour he deſired ſtill to repoſe and reſt.* Nothing like this can be alleged of Eliot. The very worſt to be ſaid of him can be ſaid without a bluſh. He deliberated before he finally determined; when his deciſion was at length taken, to make implacable war upon the man to whom in the old time he had been indebted for favours, not only was the danger of ſuch a courſe at its higheſt but the provocation was at its higheſt alſo; he began his bittereſt attack when the king had thrown his ſhield over Buckingham, but not until Buckingham had left England defenceleſs and diſgraced; and when once he had entered on the path ſo choſen, he held it unflinchingly and fearleſſly, with a courage that heightened as the way ſeemed to darken, and a reſolution that never blanched or faltered.

Of his own conſciouſneſs of the extent of the danger that had for ſome time ſurrounded him; of the precautions taken againſt it; and of the arrangements blended with theſe to make proviſion for all needful information in the way of his office; a curious illuſtration is afforded by a document preſerved in the ſtate paper office in the handwriting of one of Conway's ſecretaries, and purporting to be an "abſtract of papers found in Sir "John Eliot's chamber," doubtleſs at the time when it was ſearched four months from the preſent date. One of theſe is headed "Sir John Eliot's inſtructions to his "agent," and bears date the 15th January 1625-6, the very time when Eliot was carrying his election to the ſecond parliament.

According to this paper, which, though "abſtracted" in

* MS. S.P.O. Wentworth to Conway. 20th January, 1625-6.

ſuch ſuſpicious circumſtances, may probably be accepted as genuine, Sir John had inſtructed his agent to continue either at London or at court, but ſpecially at court, to inquire for intelligence from all parts; and, while in London, to frequent the exchange, and apply to Mr. Burlamachi and certain other merchants whoſe names were indicated, who would be able to furniſh him with news from diſtant places. He was to attend the council chamber; to obtain notice of all ſpecial and public acts, of commitments, queſtions, letters of direction and the like, in progreſs there; to make a daily note or remembrance of them; and when anything extraordinary was going on, either in act or preparation, he was to give Eliot ſpeedy advertiſement of it. At court he was to be ſimilarly watchful. He was to learn diligently as well the news and paſſages there, as what reached the court from abroad. He was to adviſe Eliot of all things. He was to tell him of any alterations going on, of intendments as to public matters, of preparations of ſhips, of "preſts" that might be ordered, of employments, of the arrivals of ambaſſadors; he was to detail all reports as to a parliament, or privy ſeals, as to favours or disfavours; and he was eſpecially to collect what opinions or rumours were entertained upon the return of the fleet. For a man anxious to be armed at all points, and ready for every contingency, as having buſineſs in hand importing danger if at any moment taken unawares, theſe inſtructions put in practice formed certainly a perfect code.

Special occaſions are next intimated when a conveyance was to be procured for Eliot from my lord Stanhope of London, if he were in town; or from my lord Conway at court; or from my lord preſident, as he might find moſt ready. He was not however too often to give trouble in thoſe quarters. But no packet was to leave without a diary of occurrences appended thereto. The agent was to keep his daily note or remembrance in ſuch a form—"namely, ſuch a day ſuch a thing happened,

" ſuch a report was, ſuch a change, ſuch a deſpatch, or " the like "—that it might at once be filled in, ſealed up, and " ſo annexed to the packet."

Finally, the inſtructions extended to the modes of tranſmiſſion in " ordinary paſſages," in " extraordinaries," and in any letters entruſted to him by friends. He was to have intelligence and a good underſtanding with the packet maſter, both at London and the court. He was to write the ordinary paſſages by every conveyance: Eliot being manifeſtly not a man who could afford to diſpenſe with his daily or weekly paper, as the letter of news then was. In " extraordinaries " he was to uſe the prompter and more inſtant way; and the packet was always to be directed in a different hand, never in his own. Further, if at any time he truſted ſuch letter to a general packet, it was not to be directed to Eliot but to be encloſed to " Ab. Jennens; " and, the paper concluded, " when you ſend yourſelf, acquaint my friends; " though not of the manner of your ſending, yet that " you *have* conveyance if they will write."* One might fancy ſuch precautions fitlier taken in a court where Amurath an Amurath ſucceeds, " not Harry Harry." But the proofs are elſewhere abundant, that there was now no ſecurity for correſpondence; of the ſpy and traitor in his path, Eliot had daily experience in the Baggs, Drakes, and Davyles ſoon to be familiar to our page; and the fact that we owe our knowledge of this very paper to a lawleſs ſeizure by the ſtrong hand of power, may be fairly accepted to explain its character and neceſſity.

* MS. S. P. O. The name of one of the merchants mentioned with Burlamachi is intimated by the letters " Ph: Ga:" and I may add that incidental evidence of the genuineneſs of the paper is afforded by the fact that when a queſtion aroſe in the ſecond parliament whether or not certain monies ſhould be paid to Burlamachi, Eliot ſeparated himſelf from his friends Coryton and Erle, and voted with a majority of 148 to 123 for payment to the Dutch merchant, to whoſe friendly ſervice in matters of foreign intelligence this paper ſhows him to have been indebted. See *Commons' Journals*, i. 867.

Another paper formed part of the ſame plunder by way of "abſtract," which might be received perhaps with greater caution if there were really any grave imputation conveyed by it. But it amounts to nothing more than anxiety on Eliot's part to get a colonelſhip and deputy-lieutenancy in his county, alleged to be vacant by Sir Richard Edgecombe's death. For this he was willing to incur the obligation of applying to Lord Pembroke, with whom he was at this time in communication as to Buckingham; but was extremely unwilling, in preferring ſuch a ſuit, to expoſe his name to the handling of the lord chamberlain's officers and dependants. He told his agent, therefore, that he had written to his kinſman Mr. James Eliot to ſolicit my lord chamberlain on his behalf for the place; and the agent was to go and preſs Mr. Eliot to all the ſpeedy and earneſt application neceſſary, and to tell him that if any monies were expected by thoſe that are about my lord, Sir John would not ſpare for twenty or forty pounds, though he would not be ſeen in that himſelf, and would beſtow upon Mr. Eliot as good a gelding as ever he owned. He further directed his agent to ſolicit earneſtly one of my lord chamberlain's ſecretaries, if Mr. Eliot ſhould happen to be abſent, and to make ſuch promiſes as he might think fit, all which Sir John would make good. But to the ſecretaries his agent was to carry it altogether as a motion of his own, on intelligence met at London, and not as coming from Sir John. The whole of which, however, being writ on a particular night in January 1625-6, is retracted the very next morning, Sir Richard Edgcombe being diſcovered to be not yet dead.*

The ſtory may be fact or fiction; but at the time Eliot is ſo ſtated to have been ſoliciting for a place of credit in his county in the lord chamberlain's gift, it is certain

* MS. S. P. O. This paper is "abſtracted" on the ſame ſheet as the other.

that his county, of its own free gift, was ready to accord him a place of the higheſt honour. At the time when he believed himſelf to be excluded from Newport by ſome influence (probably the duke's,* but this is not poſitively known), his county, through ſeveral of its leading men, offered to bring him in knight of the ſhire. But for the preſent, having doubtleſs good reaſons, he elected rather to be returned for his own town; and he arrived in London, once more member for the borough of St. Germans, at the end of January.

III. Leading the Opposition.

Laud crowned the king, officiating in place of the diſcarded Williams, in Weſtminſter-hall on the 2nd of February. The ceremony was according to the ancient forms, but curtailed of much of the ancient ſplendour; and a ſhadow as of the impending parliament ſeemed to reſt upon the day. Sir Robert Cotton was in waiting, with the book of the time of Athelſtan of the four evangeliſts in Latin, on which for many hundreds of years the Engliſh kings had ſworn their coronation oaths; but his late ſervices to the commons in way of precedents, now notorious, was remembered, and himſelf and his manuſcript put aſide. When that portion of the ceremony came at which, the king ſtanding bareheaded before the altar, the people had to perform their part of conſenting to receive him for their ſovereign, they were ſilent till the lord marſhal told them to ſhout. And when all was over, and the king and the duke came wearily away, a remark made half gravely and half playfully by Charles, as Buckingham would have lent him his hand, perhaps expreſſed what had riſen in the minds of both

* "Buckingham had a foreſight of the approaching parliament," ſays Mr. D'Iſraeli. "He took certain precautionary meaſures, and was particularly deſirous of keeping out of the Houſe his future great opponent, Sir John Eliot." *Commentaries* i. 152. Ed. 1851.

above all the pageant they had taken part in. "I have "as much need to help you as you to aſſiſt me."*

Through his functions in the ceremony Laud had gone with a ſomewhat heavy heart. So preſſing was the need to aſſiſt Buckingham againſt the ſtorm expected, that, but a few days before the coronation, it had been reſolved in council to make conceſſions in religious matters by way of warding off or moderating political diſcontents. The king had accordingly taken meaſures againſt recuſants, and much incenſed the French by diſregard of ſome ſecret articles in the marriage treaty; while in the matter of Montagu it was decided, after anxious conference at Buckingham's, to leave him to the judgment of the houſes. "Methinks," wrote Laud in his diary, after making entry of that deciſion on Sunday the 29th of January, "Methinks I ſee a cloud ariſing, "and threatening the church of England. God of His "mercy diſſipate it!" † The prayer for the moment was perhaps thought to have been heard. That cloud did not break in this parliament. The ſtorm for the preſent was to fall from another quarter.

The king was preſent at the opening of the houſes on Monday the 6th of February, but left his new lord

* D'Ewes's *Autobiography*, i. 292–3. "I dare ſay," adds Sir Simonds, "he meant it plainly, yet ſearching brains might pick much from it."

† *Works*, iii. 180. Laud's troubles in connection with the attacks made on Buckingham are curiously ſhown in his *Diary*. Shortly after the diſſolution at Oxford they ſeem to have ſet him dreaming of the duke and ducheſs in an odd faſhion even for him. "Aug. 21, Sunday. "That night, in my ſleep, it ſeemed to me that the Duke of Buckingham "came into bed to me; where he behaved himſelf with great kindness to-"wards me, after that reſt wherewith wearied perſons are wont to ſolace them-"ſelves. Many alſo ſeemed to me to enter the chamber, who ſaw this. "Not long before, I dreamed that I ſaw the Ducheſs of Buckingham, that "excellent lady, at firſt very much perplexed about her huſband, but after-"wards cheerful and rejoicing that ſhe was freed from the fear of abortion, "ſo that in due time ſhe might be again a mother." "Sept. 4, Sunday. "The night following I was very much troubled in my dreams. My "imagination ran altogether upon the Duke of Buckingham, his ſervants, "and family. All ſeemed to be out of order: that the ducheſs was ill, "called for her maids, and took her bed. God grant better things!" *Works*, iii. 170, 172.

keeper, Coventry, to ſpeak for him. They were called together for but a ſhort time, Coventry told them; his majeſty hoping they would make good uſe of it, and appreciate his feeling in deſiring to adviſe with them immediately after the ſolemn rites that had wedded him to his people. Sir Heneage Finch, who had become recorder of London when Coventry was made attorney-general, was ſuggeſted for Speaker; and though his addreſs on the 8th, when preſented, was abſurd enough, the king's perſon rather than his prerogative was the object of the flummery. Heneage was indeed a much worthier perſon than the John, not his relative, who in the next parliament, in the ſame chair, was to make the name deſpicable.* He had obtained deſerved reputation at the bar, and with a dignified perſon poſſeſſed very popular manners. He was one of the members for London.

On Friday the 10th of February the houſes firſt met for buſineſs; and as Eliot took his ſeat, he miſſed of courſe ſome accuſtomed greetings. Philips, Seymour, and Coke, though pricked for ſheriffs, had all been returned for their counties, and meant at firſt to have abandoned thoſe ſeats, and tried the queſtion with the court by obtaining others in different ſhires. But on Seymour offering Wentworth a borough in the weſt in exchange for one in the north,† the backwardneſs of Wentworth, who had no taſte for a conflict with the prerogative "*out of*" parliament, broke down the ſcheme;

* John's peerage died with him. Heneage died in 1631, when Littleton ſucceeded to the recorderſhip; but his ſon was Charles the Second's chancellor, and the name ſtill ſurvives in that better ſtock.

† "I met with Sir Francis Seymour here at Reading, who remembers "his love unto you, and did it in a very hearty manner. . . . . He is very "deſirous to be of the houſe, notwithſtanding he is choſen ſheriff. . . . He "would gladly that you would favour him ſo much as to get him choſen "for ſome place in the north, and he will, if it ſtand with your good liking, "have you choſen in the weſt. That which induceth Sir Francis the "rather in this is, that he knoweth that Sir Edward Coke and Sir Robert "Philips will be both returned." Sir Arthur Ingram to Sir Thomas Wentworth. *Straff. Diſp.* i. 30.

and though Philips and Coke ſtruggled on, and the gallant ex-chief juſtice went ſo far as even to claim his writ for the county he had to ſerve as ſheriff, he eſtabliſhed only privileges of membèrſhip apart from the right to ſit, and both had finally to yield. For that parliament at leaſt, the court had doomed to ſilence the moſt eloquent and the moſt learned of all the utterances remembered in parliaments of the paſt; but only, as Eliot in his memoir has written and was doubtleſs thinking that day,* to ſhew how ſufficiently, upon ſo great a want, even *their* places might be filled. Plymouth had again returned his friend Glanvile, nerved for better ſervice under the puniſhment whereby the court had hoped to diſable him. Pym again ſat for Taviſtock; Selden was returned for Great Bedwin; Mr. Littleton ſat again for Carnarvon;† the ornate and fluent Digges, in as much reſentment as beſeemed ſo courtly a temper at the favourite's treatment of his "father" the kind archbiſhop,‡ once more repreſented Tewkeſbury; and Sir Robert Manſel, not reſenting only the neglect of his veteran claim and ſervice but alſo more recent proofs of Buckingham's ſpite and anger, ſat for Glamorgan.§ No want of eloquence, or learning, or good indignation here.

* *Ante*, 443–4.

† Browne Willis makes the return for Lempſter, but this is a miſtake; and generally careful as his returns are, they are never wholly to be relied on.

‡ "He was publicly employed," ſays Abbot of Sir Dudley, in his narrative (*Ruſhworth*, i. 451), "one time to the Hague, a ſecond time to "Muſcovie, and thirdly into Ireland, about affairs of the ſtate: ſuch opinion "was then held of his good endeavours. And for my own part, ever ſince "the days of Queen Elizabeth, I have been nearly acquainted with him. "He was my pupil at Oxford, and a very towardly one; and this know-"ledge each of other hath continued unto this time. He calleth me father, "and I term his wife my daughter; his eldeſt ſon is my godſon; and their "children are in love accounted my grandchildren."

§ "Againſt Sir Robert Manſel's patent for making of his glaſſes, *being* "*his chief livelihood and only reward for all his ſervices*, there is a writ of "two warrants brought, by which it will be forfeit to the king if his "great enemy may prevail againſt him." Stutevile to Mede, 4th November, 1625.

Nor had Eliot to look round in vain for other faces, friendly and reſolute. Mr. Hampden of Great Hampden is here for Wendover, Sir Oliver Luke for Bedfordſhire, Sir Thomas Grantham for Lincoln, William Strode for Plympton, William Coryton for Cornwall, Walter Long for Wiltſhire, Sir Walter Erle for Lyme, and Sir Bevil Grenvile for Launceſton. His friend Sir Robert Cotton had not obtained a ſeat; but his old fellow-labourers, Sir Edwin Sandys and Sir James Perrot, ſat again for their former conſtituencies, though they yielded now their preeminence in ſpeaking to himſelf and younger men. His countryman and friend, Henry Rolle, one of the greateſt lawyers of the time, who lived to write the famous *Abridgement* * and to adminiſter juſtice under the commonwealth and council of ſtate, took his ſeat for Truro; and among other noticeable men of that profeſſion were Wentworth of Oxford, Sherland, member and recorder for Northampton, Bulſtrode Whitelocke, whom Stafford had ſent to begin his long and buſy career, Herbert, who ſat for Downton, Whitby, member and recorder for Cheſter, Noye, who again repreſented Helſton, and Sheldon, who ſat for Bridgnorth and had ſucceeded Heath as ſolicitor-general. Of courſe his old conſtituents had returned Rudyard; Eliot had again been intereſted in bringing in Marten as his colleague for St. Germans; Sir Thomas Wentworth had ſent, to repreſent himſelf as well as the borough of Richmond in Yorkſhire, his friend Mr. Chriſtopher Wandesforde; and old Sir John Savile for the laſt time ſat in Wentworth's ſeat. The other northern men, including keen old Sir Thomas Hobby who had ſat in ſeveral parliaments of Elizabeth, muſtered as on former occaſions; and a word may be added of two new names, whoſe owners made themſelves during the ſitting briefly famous. Sir Edward Coke

* Which, I may remark, Sir Mathew Hale edited with a noble eulogy on its author's learning, moderation, patience, juſtice, and deſpatch; admitted "even by royaliſts," and rendering him a faultleſs judge.

had ſent in for the borough of Ayleſbury his ſon Clement, who managed forcibly to repreſent alſo his father's ill-humour; and a very clever though eccentric phyſician, one Samuel Turner, for many later years a doctor attendant on the court ladies who all conſulted and laughed at him,* was now to make his firſt attempt in politics as member for Shafteſbury in Dorſetſhire. He repreſented the ſame place afterwards in the long parliament, and was very harmleſs.

The privy councillors had not loſt ſtrength, if they had not gained any, in this parliament. Heath's promotion to the attorney-generalſhip had removed him from their ranks in debate, but they had been reinforced by the new vice-chamberlain and member for Haſtings, Sir Dudley Carleton, an ancient diplomatiſt of amazing experience in foreign countries, with the drawback of having had ſmall experience in his own. Sir John Cooke, having filled his purſe by marriage to a rich city widow, was now become one of the principal ſecretaries on Sir Albert Morton's death, and had been returned by Cambridge univerſity. Sir Robert Naunton ſat for Suffolk, in disfavour with the court for having adviſed againſt ſome late proceedings; † and Sir Humphrey May again for Leiceſter. Sir Richard Weſton ſat for Bodmin; and Sir Thomas Edmundes, remarkable as one of the ſmalleſt men in the houſe as well as one of the ſharpeſt, and whoſe age had quenched none of his vivacity, repreſented the univerſity of Oxford. They had not many followers to depend upon; but among the moſt ſtaunch and reliable were the three formerly named, and whom

* In the ſtate paper office there is a letter addreſſed by Sir Kenelm Digby to Conway (Strafford's friend), I think about 1640, giving a rather ludicrous picture of Turner. It bears, I may add, a characteriſtic indorſement by the late Mr. Croker.

† "Sir Robert Naunton, for ſpeaking his mind freely and honeſtly "againſt new projects, is turned out of his lodgings at court; and, if "ſomebody's power continue as great as his will, ſhall be caſhiered of his "maſterſhip of the wards." Stutevile to Mede, 4th November, 1625.

their conſtituencies had again returned, Mr. Drake, Mr. Mohun, and Sir James Bagg.

The committees for privilege, religion, and the courts of juſtice * having been appointed, and ſeveral ſuggeſtions adopted for regulation of their proceedings, upon the naming of the committee of grievances an opinion was expreſſed that its duties ſhould be taken under ſeparate heads. The new ſecretary thereupon reminding the houſe of his majeſty's hint as to time; and that unreaſonable ſlowneſs, at ſuch a period of neceſſity, might produce as ill effect as denial; Eliot promptly aroſe, ſaid he had a motion to ſubmit, and took the place which all ſeemed ready to concede to him. Our ſole knowledge of this ſpeech hitherto, derived from alluſions in private letters and half-a-dozen lines in the journals, has preſented it as a general invective on the recent national diſgraces, "eagerly aiming at but not naming" their cauſe; † but I have now recovered the ſpeech itſelf, and find it to be of much larger ſcope in the way of counſel and policy. The invective is quite ſubordinate to the deſign, which was to warn the parliament at their beginning, by examples of deceptions practiſed and loſſes incurred in former ſittings, of the only ſafe courſe by which they could now ſecure themſelves. The ſpeech is throughout a practical ſummary of the leſſon he had

* See *ante*, 235. Pym, who was chairman of the committee on religion, duly reported from it to the houſe an able and powerful charge againſt Montagu (*Ruſhworth*, i. 209-12), from the conſequences of which he was only ſaved by the more important impeachment taken up, and the ſudden diſſolution it occaſioned. On the very day of that diſſolution articles of impeachment againſt Montagu had paſſed their final ſtage, and were ordered to be engroſſed. *Journals*, 14th June: i. 871.

† Letter of the 11th February 1625-6 (MS) S. P. O. Mr. John Millington, in a letter to his brother in the ſame collection, deſcribes the effect Sir John Eliot had produced by drawing attention to the king's wants in connection with the examples of paſt expenditure, and the ill-ſucceſs of the Spaniſh voyage. And Mede writes to Stutevile, that at the very beginning, Sir John Eliot, the vice-admiral for Devonſhire, deſired that there might be account given for all monies ſupplied ſince 1623, laying to the miſmanagement of affairs the loſs of thouſands of men's lives in our late expeditions by land and ſea.

drawn from the ſcenes he has deſcribed in his *Negotium*, expreſſed with ſingular force.

"Mr. Speaker," he began, "I have obſerved in the "paſſages of this day the divers motions that have been "made and the excellence of their intendments. I have "called to mind the proceedings here of former times. I "have remembered the affections and endeavours of our "predeceſſors. I have with myſelf revolved, and "(what in ſo ſhort a time occaſionally I might do) I "have caſt up, what ſucceſſes, what iſſues, they have "had; and from thence have drawn a conſideration to "ourſelves what we may now expect, and what courſe "we may beſt hold. For, from thence, there may be a "conjecture made unto our preſent hopes; the effect and "conſequence of all acts being implied in the judgments "of their entrance and proſecution. Herein the latter "times, I doubt, have failed either through precipitation "and too much haſte, or by impatience and importunity "preventing their own deſires. Yea, preventing them "by the too much affectionateneſs and earneſtneſs of the "deſire. As is noted of the Samians in like caſe, for "preſſing upon Meander. *Cui juſtiſſimo virorum violenti "eſſe non licuit*, ſaith that ſtory. They urged their ſuit "ſo violently upon him that they gave him no time to "anſwer or grant it, being willing. In all things, Time "and Order are of beſt advantage; the one the meaſure, "the other the weight, of all proceedings; and the "greateſt prejudice or hinderance in buſineſs that can "happen, comes by anticipation or diſorder. For if there "be not time, nothing can be done; and without order "and direction, there can be made no uſe of time. And "this I believe we have heretofore ſeen verified in our-"ſelves; whether by art ſo contrived, or incidentally "following our own overſights, I will not judge. But "the effects do ſhow it, that we ſuffered! We ſuffered "in the laſt, we ſuffered in the former parliament. I "will not enumerate all our ſufferings that way. I will

" merely make an intimation for your memories, how " the times have ſlipped us; how they overpaſſed us " before we could conclude, nay before we could almoſt " begin, the buſineſs we came for. The buſineſs we " came for, did I ſay? No, I am there miſtaken. *That* " we diſpatched betimes, if not too ſoon! The buſineſs " it is we *ſhould* come for, I mean; the country's buſi- " neſs, the public care, the common good, the general " affairs of king and kingdom: not the mere ſatisfaction " of any private ends or hopes. *Theſe* have overſlipped " us; *theſe* have paſſed beſide us; though not without " mention, yet without effect."

After this very ſtriking exordium Eliot proceeded to ſay that he was not going then to begin a ſearch or ſcrutiny as to how thoſe things had been governed and directed. But with what modeſty he might, and without diſhonour to ſo great a council, he would even aſſume the occaſion to themſelves; and that it was their own facilities, their own credulities, that had deceived them. From thence he would then be bold to derive ſome obſervations for the future; " aye, and for the time " we are now in;" how they might ſort it, and how manage it, to their beſt advantage and the common good. And firſt he would make one general propoſition, which he ſhould afterwards reduce into ſome particulars: with conſummate art proceeding thus:

" And that is for ſupply. Sir, I am for ſupply; " ſupply of means for the country; ſupply in govern- " ment; ſupply in juſtice; ſupply in reformation; " ſupply in aid of our long neglected grievances! I am " for inſiſting that theſe things may begin our labours; " that we may ſettle *this;* that we now prepare it, that " we preſent it! Nay, I will go further, *that we attend* " *and take our anſwers before we admit, in other things,* " *either treaty or debate.* But methinks I hear ſome " Courtier ſaying to me, you go now too far. You ex- " ceed your limits. It is not a parliamentary courſe you

"propoſe. You have no precedent for it. I crave "him pardon that ſpeaks or thinks it. If I err, it is "out of love, not out of flattery; and though I am not "warranted, yet I am induced, by former practiſes; if "changing of perſons do not change the caſe. Did we "not, the laſt parliament, freely give that ſeſſion to the "king, upon the promiſe and aſſurance of his word to "have the next for us? Did we not, in the parliament "before, do the like? And in both have we not ex-"preſſed as much faith and love as could be expected "from poor ſubjects? Did we not, in the 18th of king "James, grant two ſubſidies which were preſently con-"firmed, and part without a ſeſſion? Have we not, on our "ſide, ended with truſt enough, thoſe three times, to en-"dear the credit of our ſovereign? May we not juſtly "challenge it as in that reſpect deſerved, to have his ma-"jeſty now begin with us? For is it not the ſame in reaſon "as for us to begin with him? Surely it is. The buſineſs "is the ſame. And, though there were no law of retalia-"tion, this would perſuade and move it; that what is the "country's, is the king's, good. Thoſe that will diſtin-"guiſh or divide them, I dare be bold to ſay are neither "good ſcholars nor good ſtateſmen! As we, then, have "broken precedents for the king, let it not ſeem ſtrange "we ſhould now deſire the king may do the like for us. "Let us receive ſome fruit of all our confidence and "hope, that we may ſend it as a ſatisfaction to our "countries. And as I know it will affect them, it ſhall "hearten me to ſtrain myſelf hereafter wholly unto the "king's deſires, this being granted now. Which gene-"ral I ſhall therefore deſire you to take into your "memory and conſiderations, as that which may prepare, "nay, that which muſt aſſure, our paſſage to the reſt. "And that, according to this, we may the better huſband "our time and buſineſs, I will hence deſcend into ſome "particulars which I conceive next fit for your reſolu-"tion. Wherein, part I will take from that that has

" paſſed now; part from the memory of our laſt con-
" ſultations; and part I will add as it ſhall be neceſſary;
" in all ſubmitting to your greater judgments, either to
" be altered or reformed."

The councillors by this time were doubtleſs aware that his majeſty had gained little by ſilencing Sir Edward Coke. Eliot now preſented, in clear and maſterly deſcription, what in the laſt parliament that learned and experienced perſon had demonſtrated reſpecting the king's eſtate: how ill that had been huſbanded or ſpent which was gotten with grievous injuſtice to the ſubject; and what a profligate waſte there had been of all which might have ſpared the ſubject. Admitting it, he ſaid, as moſt neceſſary to them in point of ſafety that there ſhould be ever a ſufficient means to ſupport the ſtate and dignity of ſo great a majeſty, and to ſupply him on all occaſions with power and ſtrength as well to abate his enemies as to protect his friends, he aſked whether any one ſitting there could doubt that what in the elder and better time had gone in aid of that object, had of late been wholly turned from it. "Through whoſe occaſion," he continued, " I ſpeak not now: but what prejudice in
" this particular we have had! What loſſes we have
" ſuſtained, loſſes abroad, loſſes at home, loſſes to our
" friends, loſſes to ourſelves! How the king's treaſures
" have been exhauſted, how his revenues are impaired,
" how his reputation is leſſened. In what ſtrait our
" gracious ſovereign has been left as to his eſtate, who
" has power to ſpeak it, who has heart to think it, with-
" out an inward bleeding of his ſoul for ſo much wrong
" to majeſty ſo long time unpuniſhed! *Theſaurus*
" *regius anima reipublicæ.* The treaſure of the king is
" the life of the ſubject. Hurt that, you wound the
" kingdom. Cut off the king's revenues, you cut off
" the principal means of your own ſafeties. You not
" only diſable him to defend you, but you enforce that
" which then you conceive an offence—the extraordinary

" reſort to his ſubjects for ſupplies, and the more than " ordinary ways of raiſing them. Sir, this in former " times has not been thought unworthy of the conſidera- " tion of parliaments; neither have our kings taken it to " be diſhonourable to remit to them that care; but, as " their eaſieſt and ſafeſt ways, have with ſuch help from " parliament wiſely own filled their coffers. And to what " extent indeed this has been practiſed here, how it has " been uſed in other parts, and what reſumption of lands, " what accounts of officers, what infinite reſtitutions, " have been by that means made to the crowns, I ſhall " be bold to tell you when needful upon the more par- " ticular debate hereof, together with what in this par- " ticular I conceive to be fit by way of redreſs and " remedy."

The next ſubject handled by Eliot brought the matter nearer home. It was incident and unavoidable, he ſaid, to their conſideration of the alleged urgency of the preſent wants of the ſtate, that they ſhould enquire as to the outlay of what former parliaments had voted; and reminding the houſe that he had himſelf been a member in the twenty-firſt of the late king, and could ſpeak to the conditions on which the ſubſidies and fifteens had then been given, he declared it to have become in his judgment eſſential now to have the account of that expenditure exactly rendered. By its too long delay, they already had ſuffered much both for the honour and wiſdom of that place, and in the general misfortunes. And from the tone Eliot takes in this remarkable portion of his ſpeech, it is clear that the double check was always intended as formerly I have deſcribed it (in a paſſage * written before this manuſcript by Eliot was diſcovered); and that, while the king was to have advice from a ſecret council in the conduct of the war, the houſe, by means of their own commiſſioners, were not only to act as treaſurers of the king in regard of preventing expen-

* *Ante*, 158.

diture other than for the ſtrict purpoſe, but were to diſallow all outlay that went beyond the ſtated and ſpecific object for which hoſtilities had alone been undertaken. "I confeſs," he went on, "there was an entrance made to "it here laſt parliament, and a ſhow of proſecution was "continued at Oxford; ſome mention there was of the "accountants, but without effect; ſome general anſwers "were taken, as of the treaſurers and part of the "council of war; but for the reſt, and the particulars, "they were not preſſed, but left as things forgotten. "What is this but to make a parliament ridiculous? to "pretend integrity and zeal for the common cauſe, and "to deſert it? to draw the judgment of the houſe into no "regard? Conſiſts virtue only in ſhow or word? Is "it a diſcharge of our duties in this place *to ſeem* "affectionate and careful, not *to be* ſo? Do theſe walls "comprehend our duties? and muſt they not extend "beyond them? Pardon me, I beſeech you pardon me, "in ſpeaking freely. I ſhall as freely do the ſervice you "command me. It ſtands not with our honours, it "ſtands not with our gravities in this place, to be noted "careleſs or uncertain; and I beſeech you, once again, "it may not ſo ſeem in this. The reaſons at this time "for preſſing the accounts, are more than ordinary; "and the weight and greatneſs of it, I believe is much "miſtaken. To me it is no ſmall fear that the former "omiſſions have occaſioned much of that prejudice "in our affairs which has happened ſince; and the "extent and reach of the account, now, I take to be ſo "large, as it involves the conſideration of our late "adventure, and the ſearch of the cauſe of our unhappineſs therein. For, as I underſtand it, both from recollecting our intentions in paſſing the act with ſuch conditions, and from the word and letter of the act "itſelf, not only the money but the ſervice in which it "is employed ſhould be accounted for; and, therein, not "the treaſurers and council of war alone, but all others

" who by office or command ſhould have intereſt in the " ſervice, were to be examined of their carriage, doings, " and proceedings, and to receive ſuch judgments from " the parliament as their cauſe might merit."

The orator had thus brought his hearers naturally to the ſubject of which it is probable that all were as eager to hear that day, as few were willing to be the firſt to ſpeak—the diſgrace that had fallen on their arms, and the end of all the mighty " preparation." " And now, " Sir, I beſeech you," ſaid Eliot, himſelf yielding at laſt to the paſſion for which he had well prepared his liſteners, yet even now with wiſe ſelf-control not naming, but only pointing at, the author of their ſhame, " caſt your eyes about! View the ſtate we are in; con- " ſider the loſs we have received; weigh the wrecked " and ruined honour of our nation. Oh, the incompara- " ble hopes of our moſt excellent ſovereign, checked in " their firſt deſign! Search the preparation; examine " the going forth; let your wiſdoms travel through the " whole action, to diſcern the fault, to know the faulty. " For I preſume to ſay, though no man undertook it, " you would find the Ancient Genius of this kingdom " riſe up to be accuſer! Is the reputation and glory of " our nation of a ſmall value? Are the walls and bul- " warks of our kingdom of no eſteem? Are the num- " berleſs lives of our loſt men not to be regarded? I " know it cannot ſo harbour in an Engliſh thought. " Our honour is ruined, our ſhips are ſunk, our men " periſhed; not by the ſword, not by the enemy, not by " chance; but, as the ſtrongeſt predictions had diſ- " cerned and made it apparent beforehand, by thoſe we " truſt. Sir, I could loſe myſelf in this complaint. The " miſeries, the calamities, which our weſtern parts have " both ſeen, and ſtill feel, ſtrike ſo ſtrong an apprehen- " ſion on me. But the particulars are too many to be " inſtanced now. In their times they will appear more " fully, as incidents to that account for which I now

" have aſked, and which, if we conſent to ſlight or over-
" paſs, may our ſufferings evermore correct us!"

He was now, he told the houſe, about to cloſe; but, as if remembering ſuddenly the pretence made at Oxford that all the ſubſidies given for the war had been ſpent before the Cadiz preparation, he quietly diſpoſed of that argument as any excuſe for the diſaſter, and then in dignified ſtrain concluded. " Perchance, Sir, it will be ſaid " that this concerns us not. Our money was long ſince " ſpent in other actions, and nothing remained to this. To " prevent the objection, I will make this anſwer. I know " nothing ſo proſperous or good in thoſe former actions " that may extenuate, much leſs excuſe, the faults of this. " And this, I am ſure, falls within the compaſs of thoſe " ends to which our money was given. For, beſides the " general of war in which it is included, it was in point " contained in our fourth particular, the ſetting forth of " the navy. Nay, it is the particular itſelf that was in-" tended; and I am ſure our money advanced, if it did " not conclude, this preparation. That makes it a proper " ſubject of the account, and I hope in concluſion, may " make it profitable both for his majeſty and us. Upon " theſe particulars, therefore, I will contract my motion; " this of the war account and that of the king's eſtate. " I deſire there may be a ſettled order for their handling; " that days may be prefixed to take them into conſider-" ation; and that committees thereto may be eſpecially " appointed, from which nothing ſhall divert them. So, " by ſuch ſeaſonable and timely beginning, may we have " a happy period and concluſion; and, by ſuch order, pre-" ſerve our times free from interruption, and produce " ſomething worthy the expectation of the country, and " our own labours. And the general ſuggeſtion which " at firſt I made, I would not have forgotten; *that until* " *theſe ſhall be perfected, and ſuch other matters as ſhall be* " *neceſſary for the ſupply of the country, no mention, nor* " *overtures, nor motion, for others to be taken; but that the*

" *common cauſe may have a full precedence.* Which, out " of an affectionate and pious care to ſecure the ways in " which we are to walk, to prevent thoſe preventions " under which we have heretofore ſo much ſuffered, and " to preſerve the mutual honour and intereſts of my " prince and country, I now muſt humbly move." *

Eliot had ſcarcely reſumed his ſeat when Sir George Goring jumped up and aſked what he meant by the word " courtier," upon which Sir John was heard to explain himſelf. So the journals tell us, † and upon that nothing more is imparted. Perhaps the unconſcious eagerneſs with which a member known as a model courtier ‡ betrayed upon the inſtant his dread that the word would carry an imputation, may be accepted as evidence of the effect produced by the ſpeech: but a more deciſive proof is afforded by the fact that every ſuggeſtion made in it was adopted; that the houſe entered immediately upon the path ſo impreſſively marked out for them; and that great as was the preſſure they underwent, both within and without their walls, nothing afterwards drew them finally from it. A miniſter at the head of an overwhelming majority could not have had his terms accepted with more implicit acquieſcence. What was determined as to ſupply, we ſhall ſhortly ſee. Now it was reſolved, upon Eliot's motion, that beſides the committee of grievances of which Mr. Whitby was chairman, having ſub-committees of inquiry to report to the houſe under ſpecial heads, there ſhould be a committee for ſecret

* From the original preſerved among the MSS. at Port Eliot.

† Here is the entry (i. 871), which includes alſo the entire of what was known until now of Eliot's ſpeech:—" Sir Jo. Ellyott propoundeth, firſt, " in general, the ſupply for the country for relief of their grievances, &c. " For particulars. 1. The conſideration of the king's eſtate. 2. The " account of ſix ſubſidies and fifteens granted 21 Jac. and therein " (as included) the examination of the carriage and miſcarriage of the laſt " fleet. 3. Miſgovernment, miſemployment of the king's revenues, miſ- " counſelling, &c. Moveth a ſpecial committee to take a conſideration " thereof. Sir Geo. Goring taketh exception to the word 'courtier.' Sir " Jo. Ellyott heard, to explain himſelf."

‡ *Ante*, 156.

affairs over which Mr. Wandesforde was to preſide, combining evils, cauſes, and remedies, to be in like manner ſeparately taken and reported. Each ſubject, exactly as Eliot had moved, was to have its ſpecial handling and appointed day; and beſides the "condition "of the ſubject in his freedom," including ſuch matters as loans, impoſitions, and monopolies, and the levy of tonnage and poundage without parliament, the inveſtigation was to comprize "the ſtate of the king in the "conſtant revenue of the crown," the "accounts under "direction of the treaſurers and council of war appointed "by parliament," the "late ill-ſucceſſes and loſſes of "reputation," and "the employment or waſte of "treaſure, in ſums granted, how in particular ſpent, *and* "*by what advice*, the laſt three years."* In a few days all theſe committees were in operation; Eliot's unremitting activity in connection with them diſplaying itſelf in various ways, and above all in the fearleſs energy with which he dragged into light the ſcandalous ſtory of the St. Peter of Newhaven.

A quantity of papers exiſt ſtill at Port Eliot, throwing light upon theſe unparalleled exertions. They ſhow how thoroughly in all reſpects Eliot led this parliament, and was the life and ſoul of its proceedings. It is impoſſible to print them in detail, but they will ſupply to my narrative from time to time illuſtrations of much importance. Occaſionally, too, in the vivid glimpſes they afford of what was paſſing not alone in ſecret committees, or in ſittings with ſhut doors, but in more private and perſonal conference apart from the houſe,

* Theſe "heads of grievances to be laid open," from which I have quoted above, will be found ſtated in *Ruſhworth* (i. 207-9) as the reſult of the firſt few days of the ſitting, in apportioning duties to the committees. (See alſo *Parl. Hiſt.* vi. 423-5.) Even to ſuch details under "the king's "revenue" as "how abated by grants of penſions, and by gifts or lands "and no valuable conſideration," and how far "this may be revoked," the carrying out of what we now know to have been Eliot's immediate ſuggeſtion is minute and remarkable.

they aſſume a ſtriking intereſt. They eſtabliſh, for example, that Hampden, though he took no prominent public part as yet, and his name has never been connected with the proſecution of Buckingham, was yet ardently engaged in it as Eliot's friend and counſellor. It is from a paper in rough draft wholly in the handwriting of Hampden, and ſuperſcribed "The Cauſes," that Eliot, in ſeveral notes and memoranda folded up within it, appears to have drawn as from a brief the ſeveral ſubjects to which he applies his marſhalling of proofs and evidence. But a brief extract will explain this better than any deſcription; will ſhow the character of the preparations made by Eliot; and, accepting this as only one ſpecimen of ſome ſcore and upwards in which the ſame "cauſes" are further diſcriminated and digeſted for ſubſequent diſcuſſion at committees, will enable the reader to judge of the conſcientiouſneſs and labour with which the caſe was got up againſt the great delinquent.

From Hampden's paper of "cauſes" I take the following: "1. The increaſe of papiſts and the countenanc-
"ing of them. 2. The narrowe ſeas and the coaſtes
"have not bene garded ſince the breatch of the treatyes
"w^th^ Spayne. 3. The pluralityes of offices in any one
"man's hand. 4. The intercepting, the unnēſſary
"exhauſting and miſimploying the king's revennewe.
"5. The ſales of honor in generall. 6. The confer-
"ring of honor upon ſuch whom the king's revennewe
"dothe maintayne. 7. Bying of places of judicature
"in the commonwealth. 8. The deliverye of our ſhipps
"into the hands of the ffrench w^ch^ were imployed
"againſt Rochell. 9. Impoſitions upon commodityes
"in generall both native and forrayne w^th^out aſſent of
"parliament." (A "cauſe of ſtopp of trayde" is added and ſtruck out.) "10. The miſimployment of y^e
"monye given by the act of parliament and not im-
"ploying the monye according to the 4 ends expreſſed

" in the act." To which I add one of the papers of memoranda by Eliot, of which as many as a dozen might be given in connection with these " causes " alone.

" *To the 1st.* *The increase of papists and countenancing*
" *of them.*

" Occasioned by ye D specially in the
" north parts in bringing in popish
" governors, and men ill-affected in re-
" ligion to commissions and authorityes.

" Instances. { " Lo. Scroope, president
Lo. Rutland, just. in eire.
Lo. Dunbarr, deput. just. in eire from Trent northwards.

" The effects prov'd in Yorkshire, wher in xo James
" ther were but 1200 papists convict: since ye Lo.
" Scroope's coming thither president, 1600 encreas'd.
" This cause the causa causarum! a spirit moving
" betweene the K and his commissions; betweene the
" K and his promises; the K having, to the petition of
" the Ll. and us, declar'd himself agst it.

" *To the 2d.* *The narrow seas not garded since ye breach*
" *of ye Sp. treaties.**

" The keeping of ye narrow seas ye duty of
" ye Admirall. Ye Admirll upon all occasions
" of necessity or wants must repair to the
" Counsell.† Ye Counsell must assist.

* In another very elaborate paper Eliot lays down from old authorities and records the duties and obligations of the lord-admiral in regard to that " soveraigntie of the narrowe seas and iles " which he proves to have been " acknowledged to the K. of England by Spaine, Almaine, Zeeland, " Holland, Freezland, Denmarke, Norway, Genoa, and divers places of the " emperor."

† The king's privy council, that is.

" My Lo: Duke has not complain'd to the Counſell,
" and has not requir'd adviſe or help. Therefore,
" &c. &c.

" Nor could want be the cauſe. Three ſubſidies
" given—21°—Two ſince. The monies upon y^e st. of
" to. and po.* amounting to &c. &c. Granted
" p̃perly and wholly for that end. Y^e ſubſidie of to.
" and po. in Ireland in his owne collection, and therefore
" might that way be juſtly imploi'd.

" Naie, at the ſame times in w^h we ſtood in need and
" ſuſtained moſt loſs (as laſt ſummer, w^n upon order of
" y^e counſell for 6 or 7 ſhips to be ſent doun into the
" weſt to ſecure that coaſt ag^t the Turks, thoſe ſhips
" ſoe order'd could not be ſuffer'd to goe), there was
" monie enough for 8 prime ſhips of the k^m to be ſent
" to be caſt away!

" *To the 3^d. Plurality of Offices.*

" Y^e D. Lo. Admirall,
" Lo. Warden of Ports,
" M^r of y^e Horſe,

" Either one ſufficient for one man.
" Y^e Admirall and y^e Warden antiently lookt one
" upon another, and either ſeverally for the K^m.
" Now, thoſe 4 eyes put into 2.

" 1. Too much for one man's care,
" &c. &c.
" 2. Too much for one man's truſt
" or power, and therefore in this
" p̃ticul^r a ſpeciall cauſe not only
" of our evills but feares.

" Honor a reward. Men induſtrious in hope of
" p^referm^ts. Thoſe places being poſſeſſ'd by one
" takes away y^e occaſion of indeavor.

* Statute of Tonnage and Poundage.

" *To the 4th. Intercepting, unneceſſary exhauſting; and* " *miſimploying of the K's revenewes.*

" In embaſſies. Extraordinary rewards to ambaſſa-
" dors beyond the proportion of former times.
" Misimploying, in reſpect of great charge and
" expenſe of ambaſſadors that are not of eſtate
" themſelves. Whereas formerly men of great
" eſtate, &c. &c. Ye great rewards of theſe men
" beyond antient proportion: when Barons had
" but 4 pounds, P.C's 4 marks, per diem. Inter-
" cepting, in the taking up of ye monies due upon
" tonnage and pound. to other uſes.

" *To the 5th. Sales of Honor.*

" Honor the reward of virtue. Makes men in-
" duſtrious. Former warrs maintained wth leſs
" charge for them. Gentn in hope of honor, wch
" could not be acquir'd otherwiſe, put themſelves
" into theſe actions. Now ſoe cheap and eaſie,
" made contemptible. Men having noe other
" means to acquire a name, purchaſe honor.

" Obs. Difficulties of former times.
" Inſtance: Lo. Burleigh, &c.

" Men of ſmall eſtate purchaſing honor fall into
" neceſſity and ſoe diſhonor.

" Sale of 2 in Ireland to a knight and a
" baronet. One gott a vicounty and the
" other an earledom.

" Ye places and roomes of honor ſupplied wth men
" of mean and poor parts for ſinging or dancing:
" men of worth refuſed.

" Sale proved by inſtance. Ye Lo. Roberts
" pd 10,000*l.* Witness, Jo. Koſuggan.

" *To the 6th. Honors confer'd upon men wm the K's revenewes*
" *muſt maintayne.*

" Antiently honors were not conferr'd but upon
" men of good eſtates. To men of ſmall eſtate
" other rewards were fitted to their worth wch they
" might maintayne.

" Inſt: A grant of lands to ye Lo. Audly
" after ye battaile of Agincourt, wch he gave
" away to others, himſelf not needing it.

" Lords in ye upper houſe forbidden ye parlt, having
" not eſtates ſufficient to their honors, and therefore
" not to be truſted in a place of ſoe great judg-
" ment. Now, men of mean condition and noe
" eſtate raiſ'd to honor and greatneſs which other-
" ways they could not get.

" Inſtance: Ye whole family
" of the D.

" His mother,
" Lo. Angleſey,
" Lo. Purbecke,
" Lo. Denbigh,
" And his ſonnes."

It is remarkable to obſerve in this paper, ſingle example as it is of many ſimilar notes of preparation, the germ of ſome of the moſt ſtriking ſpeeches afterwards delivered againſt Buckingham, not by Eliot only, but by fellow managers and accuſers who had drawn their inſpiration from him.

The councillors and miniſters had been offering meanwhile no effectual reſiſtance, probably taken by ſurpriſe at ſuch ſudden and unaccuſtomed energy. Two examples may be preſented of their manner of meeting the charges advanced, both taken from notes in

Eliot's handwriting* of committee proceedings, as to which no other record exiſts. The firſt was upon proof offered by Eliot, as in the paper above quoted, that the narrow ſeas had not been well guarded. The not keeping a ſufficient navy of competent ſhips on our coaſt, he ſaid, was the cauſe of our enemies infeſting us. To this Sir John Cooke replied, that by order of the council a competent number had been appointed. Eliot rejoined that he could not accept this anſwer for proof that the ſhips were actually ſent. On one occaſion, by the king's direction, the council made an order for certain ſhips to be ſent to defend the weſtern coaſt, which order was delivered to Sir John Cooke *and by him kept.*† Hereupon the ſecretary of ſtate begged the committee to remember that he had received the order in queſtion as one of the commiſſioners of the navy, and he had told the lords, on receiving it, that there was no money in hand to carry it out, but that if they would provide money the commiſſioners would provide ſhips. Eliot to this made bitter rejoinder. To what ends the money had been ſpent, he ſaid, he knew not; but the end to which it was given, and tonnage and poundage were voted, was for defence of our coaſts, and for that eſpecially. But he had further to remind the ſecretary that there were ſhips at that time actually ready upon the ſeas, *of which ſome had been ſent to Rochelle* that might have done the ſervice required. The ſecretary ſaid no more, and upon queſtion a reſolu-

* I have found two ſets of theſe, both referring to the proceedings of this parliament, headed reſpectively "N. 5. Extract. ex. origin. diar. com. 1° Car," and "N. 6. Minutes of y^e^ Houſe of Commons 1° and 2° Car," and ſhall quote them from time to time as *Eliot's Notes*. They ſupply information of much intereſt not contained in the *Journals* or elſewhere, and eſpecially of what from time to time tranſpired when the houſe ſat with its doors locked. They contain, of courſe, much alſo ſince printed in the *Journals*, and which had evidently been copied from the clerk's books; but for matters of this kind I do not quote them. They are only given here when they relate what is not to be found elſewhere.

† See *ante*, 320-321.

tion paſſed that the narrow ſeas had not been well guarded.*

The ſecond was alſo upon a report by Eliot from one of the ſub-committees to Wandesforde's committee, upon the employment of Engliſh ſhips againſt the proteſtants of Rochelle. He ſtated, upon handing it in, that the duke's ſecretary, and his chief inſtrument in the tranſaction, Mr. Nicholas, had upon examination confeſſed to have done all by directions without commiſſion; that the directions had been both by word and in writing; but that he refuſed to tell what they were, being matters of ſtate. This called up Sir Robert Manſel, who ſaid that their kings had never uſed to take without conſent any ſhips of the ſubject to ſerve a foreign ſtate, nor had ever any of the king's ſhips before now been handed over to foreigners: upon which Sir John Eliot again roſe to ſubmit a formal reſolution, charging the duke as reſponſible for the act and therein guilty of a fourfold wrong, to the merchants, to the ſtate and kingdom, to the parliament, and to the king. Then interpoſed Sir James Bagg, with a feeble attempt to ſtay the vote; telling the committee, that, being lately with the duke, he had let fall ſome words that he doubted not but to clear the imputation for thoſe ſhips; but becauſe there was matter of ſtate in it, he thought it not fit to be done publickly; yet, if the houſe would appoint two or three, he would do it to them. Sir James in his zealous humility having added, however, that he had no commiſſion to ſpeak this, the committee took him promptly at his word, paſſed Eliot's reſolution, and declared the duke reſponſible.†

As each committee thus enquired and reported, much excitement prevailed. From each came, day by day, to the grand committee for evils, cauſes, and remedies, its quota of wrongs under one or other of the four

* *Eliot's Notes*, n. 5, fol. 6, a and b. † *Ibid.* fol. 15, a and b.

diviſions: prodigality and malverſation in the king's revenue; miſappropriation of the ſubſidies of parliament; ſcandalous new burdens and illegal levies on the ſubject; and, from the laſt three years' management of the ſtate, not only diſgraces and defeat abroad but ſhames and diſhonour at home. The council of war and treaſurers were called; and in ſpite of reſiſtance from the king, from the duke, and every member of the council except Manſel, the commons eſtabliſhed their right of examining accounts of their own ſervants, by ſtatute appointed with that condition, and Lord Conway and the reſt had to make return to Sir Dudley Digges, Sir Thomas Hobby, and Sir John Eliot.*

But as the "evils" daily accumulated thus, the "cauſes" and the "remedies" were concentrating and narrowing into one. To one delinquent each report pointed as the cauſe, and there only could lie the remedy. But what was to be done? "Better for us," cried Mr. Clement Coke, in the one famous exclamation which has procured for him a corner in hiſtory, "better to die "by our enemies abroad, than to ſuffer from an enemy "at home!" Yes, but how deal with the enemy? in what form proceed to bring the ſeveral charges under one accuſation? The diverſity and complication of offence was the ſtumbling-block. It was not as with Bacon or with Middleſex, where individual accuſers came before the houſe with allegations and proof of wrong. There was in this caſe no time to proceed ſeparately by proof under ſpecial inſtances, and without laying ſuch ground of proceeding the ultimate purpoſe might be barred. From the very circumſtance that every one accuſed aroſe the difficulty of finding an accuſer. It was their wealth that made them poor.

* S. P. O. MS. Dom. Cor. 11th March, 1625-6. There was a ſo-called compromiſe, whereby the council were to attend the commons and to give account of all their diſburſments, but not to divulge their counſels. The latter, however, had in reality not been demanded.

Then ſtepped forward the medical member for Shafteſbury with a preſcription he thought ſuitable to the caſe. He had prepared, and now handed in upon a paper, ſix queries that might perhaps aſſiſt them. They were to aſk: Whether the duke, as lord admiral, were not the cauſe of the loſs of the king's royalty in the narrow ſeas? Whether exorbitant gifts to him and his kindred were not the cauſe of the crown's impoveriſhment? Whether the multiplicity of offices in him and his incapable dependents were not the cauſe of the kingdom's evil government? Whether his own inclinings, and the known papiſtry of his mother and his other kindred, were not the cauſe of favor to recuſants? Whether the ſhames ariſing from ſales of honours, offices, places of judicature, and eccleſiaſtical promotions were not cauſed by him? And whether, being admiral and general of the ſea and land army, he were not the cauſe of the late diſgraces to their arms, though he had himſelf ſtayed at home? Becauſe, ſaid Doctor Turner in concluſion, all theſe "are famed to be ſo." The inference of courſe was, that common fame might in ſuch a caſe be accuſer, and be a good ground for further proceeding, there or elſewhere.

It was not the doctor himſelf, however, who gave it that ſhape. It was Eliot. He at once declared himſelf in favour of taking ſuch a ground. The Duke of Suffolk had been ſo charged in Henry the Sixth's time. He further remembered, and the worthy gentleman would correct him if this were not true, that the now chancellor of the duchy ſo informed the commons, when they ſat in that houſe together during the 12th of James, in charging divers "undertakers" who had been brought in queſtion.* Sir Humphrey May made no reply; but upon Sir Robert Harley aſking whether a member there might upon common fame inform againſt a perſon of the upper houſe, the Speaker interpoſed and objected that the

* See *ante*, 23-26.

author of thoſe queries had not made a diſtinct propoſition, but only *whether* ſuch and ſuch things were ſo. A man might charge any other with wrong to the commonwealth or himſelf, but might not put in an enquiry *whether* ſuch a man committed ſuch an offence or no. Time was therefore ordered to be given to Doctor Turner "to collect himſelf." * The doctor, it is probable, never again in that ſenſe collected himſelf. The ground laid upon his ſuggeſtion became afterwards of much importance; but the doctor had no taſte for martyrdom, and upon the firſt hint of that importance by complaint from the king, he wrote to the Speaker that he was very ſick, and if he ſhould go to his grave before the debate came on he hoped they would clear him as an honeſt Engliſhman. †

But not yet has this ſubject reached the king, though he has found occaſion to make other complaints. Early in March, Weſton had carried to the houſe a ſecond meſſage for ſupply, to which the anſwer made accorded ſtrictly with Eliot's advice. With devoted loyalty they told the king, that, for his ſervice and the ſafety of his realm, they were now diſcovering the cauſes and propounding

* *Eliot's Notes*, n. 5, fol. 7, a. What had thus occurred is only now revealed to us by theſe notes. A ſad jumble has been made of the matter in *Ruſhworth* (i. 218), where the ſubſtance of what Eliot had ſaid is given to Turner himſelf, and the occurrence altogether miſdated and miſreported. There can be no doubt of the authenticity of Eliot's note (wherever he refers to himſelf he either leaves a blank or puts his initials); and it is curious and intereſting, becauſe it exhibits Doctor Turner in what clearly was the condition moſt natural to him, of having had honour thruſt upon him rather than of deſignedly achieving it. As the facts are ordinarily ſtated, it ſeems unaccountable that he ſhould riſe above the ſurface ſo ſuddenly only to plunge yet more rapidly down again; but he probably by no means underſtood the entire drift or bearing of his queries when he handed them in, and certainly the "ſound himſelf had made" very much frightened him afterwards. I may further ſtate, that when Eliot's rooms were ſearched ſome ſix weeks after the preſent time, a copy of the "Six Queries" was found in his handwriting, and is now in the ſtate paper office; and it will not be out of place to add that Sanderſon, who had a court appointment and to whom Turner was doubtleſs well known, ſays of him (*Life of Charles*, 20) "one Turner, a mean mad doctor of phyſick, who got a room in the "houſe for ſuch like rants—alas! poor doctor, *he did but gape and had "this clamour put into his mouth.*"

† *Ruſhworth*, i. 218-219. *Parl. Hiſt.* vi. 434.

the remedies of certain great evils; and that in connection therewith they meant to aſſiſt and ſupply him in an ample meaſure. Hereupon Charles himſelf wrote to them; *an autograph letter*, if ever ſuch was written. He was well pleaſed, as he ſaid, that they ſhould ſpeak of their grievances in a parentheſis (which they had not done), and not as a condition (which they had); and he told them that after a vote of ſupply he ſhould be ready with redreſs; but "I muſt let you know," he continued, ſuddenly letting looſe the thought he could no longer maſk or controul, "that I will not allow any of my ſervants to be "queſtioned amongſt you, much leſs ſuch as are of emi-"nent place and near unto me... I ſee you eſpecially aim "at the Duke of Buckingham. I wonder what hath ſo "altered your affection towards him?... What he hath "done ſince the laſt parliament of my father's time to "alter and change your minds, I wot not; but can "aſſure you he hath not meddled or done anything con-"cerning the public or commonwealth but by ſpecial "directions and appointment, and as my ſervant... I "would you would haſten for my ſupply, or elſe it will "be worſe for yourſelves; for if any evil happen, I "think I ſhall be the laſt that ſhall feel it." The only remark made upon the reading of this letter which has been preſerved, is that which fell from Eliot. "We have had a repreſentation of great fear," he ſaid, "but I hope that it ſhall not darken our underſtandings."* The king's letter was referred to a committee of which Sir Dudley Digges was chairman, with inſtructions that report ſhould be made therefrom on the 27th of March. It was the day of the king's inauguration, or as we ſhould now call it, his acceſſion, being the day in the previous year on which his father died; and it was reſolved that the vote of ſupply ſhould then be taken.

* This remark has hitherto been jumbled up with another ſpeech, to which it did not belong. See *Ruſhworth*, i. 220, and compare with the real ſpeech of the 27th March to be hereafter given.

Meanwhile the king had ſent another meſſage, angrily complaining of Clement Coke's exclamation about the enemy at home, ſaying that he had been put out of all patience by Doctor Turner's fooliſh impudency, and deſiring juſtice immediately to be done on theſe two delinquents. Nothing came of it, it is ſaid; except that Mr. Coke ſtood up to clear himſelf of any ill intention.* But the little that did come ſhowed the abſence of any deſire in the houſe unfairly to ſcreen its members, and Eliot has thought it worth reporting.† Enquiry being made, it was found that Mr. Coke had not ſpoken the words as charged, nor anything ſeditious; but that ſome words he had ſpoken which diſpleaſed the houſe, which might receive ill conſtruction, and for which therefore he muſt ſubmit to cenſure.‡ The queſtion raiſed by Doctor Turner was hereafter to be diſcuſſed.

In the few buſy days that had yet to interpoſe before the 27th of March, the purſuit of the great delinquent was continued with unabated zeal. It is worthy of note, however, that an attempt made on the 24th of March to give effect to one of Turner's queries, and by reſolution declare the duke's complicity with his Roman-catholic kindred in popiſh projects, was negatived.§ On the ſame day, with greater ſucceſs, Eliot carried four reſolutions againſt him. The firſt concerned neglects in his office of lord admiral, imperilling the narrow ſeas. The ſecond, the multiplicity of his offices; as to which, confining himſelf to only two out of the ſcore by way of illuſtration of the danger, Eliot declared ſtrongly his opinion, that for the ſame man to be lord admiral having command of

* *Parl. Hiſt.* vi. 432. The ſame is in the *Journals*. On the other hand ſee *Parl. Hiſt.* vi. 465.

† *Eliot's Notes*, n. 5, fol. 6, b.

‡ Reference is made to the matter, and this report confirmed, in the commons' reply to the king of the 5th of April. *Parl. Hiſt.* vi. 465.

§ *Eliot's Notes*, n. 5, fol. 9, a. In the diſcuſſion that took place, it would ſeem that Pye, Fanſhawe, Whitaker, and Savile ſtrongly oppoſed the reſolution.

their ſhips, the walls of the kingdom, and alſo lord warden of the cinque ports having cuſtody of their harbours and forts, the lock and key of their ſafeties, was too great and dangerous a truſt for one man. Such offices were not compatible in one perſon. The third concerned the buying and ſelling of honours and titles; and the fourth the ennobling of mean perſons, with no proviſion for the rank of nobility.* On a ſubſequent day Eliot carried other reſolutions upon the buying and ſelling of judicial offices, and the intercepting and exhauſting of the king's permanent revenue; out of which he offered proof that there had been iſſued publickly to the duke, "beſides the private door," in little above two years, ninety-one thouſand five hundred and twenty pounds. Eliot's unwearied energy was at the ſame time ſo ſtrikingly ſhown in the St. Peter of Newhaven enquiry, and this was attended by circumſtances that elicited with ſo much force and vividneſs his dauntleſs courage, that the ſubject calls for ſeparate treatment.

Before paſſing to it, the preſent poſition of Lord Briſtol in relation to the king and the duke requires to be briefly noticed.

The king had by this time gravely involved himſelf with the houſe of lords. At the commencement of the ſeſſion Briſtol had felt that at laſt his time was come, and that now, if ever, the diſcloſures muſt be made which the king and duke had lived in conſtant fear of ſince the day of his arrival from Spain. His writ of ſummons, denied him for two years, during which he had lived under reſtraint and in enforced retirement at Sherborne, was ſent to him on his application; but with a letter forbidding his attendance ſtill, on pain of the royal diſpleaſure. The reſult of his referring this letter to his fellow peers, with a demand for permiſſion to arraign the Duke of Buckingham of high crimes and miſdemeanours,† was an

* *Eliot's Notes*, n. 5, fol. 9, a and b.

† The ſudden alarm of the king, and the lengths to which he was pre-

order from Buckingham to the attorney general to charge the Earl of Briſtol at the bar with high treaſon. The lords thereupon voted to hear each charge in ſucceſſion, and both were to be heard accordingly.

The king's weakneſs of character, and obdurate obſtinacy of temper, were now remarkably exhibited. * He had a ſpleen ſtill unſatisfied againſt the lord marſhal (Arundel); he knew that he held eight proxies, and could exert conſiderable influence in ſuch a caſe as Briſtol's; and he ſelected this time for ordering his arreſt on the plea that he had favoured his ſon's marriage (without royal licenſe) to the Duke of Lennox's daughter. He was actually, while the peers ſat, committed to the Tower. But the action of the lords thereon was ſo prompt and deciſive as to aſtoniſh even more than it enraged the king. Having voted the arreſt a breach of privilege, they immediately addreſſed the ſovereign; claimed during their ſittings, ſubject only to their own votes, freedom from arreſt as of right in all caſes but felony or treaſon; on the king's evaſively replying addreſſed him again and again; refuſed to hear the attorney general in ſupport of the prerogative; compelled the king to yield after a

pared to go in perſonally influencing a deciſion againſt Briſtol, appear in a paragraph of Laud's Diary far more ſignificant for what it leaves unſaid than for what it ſays. "April 22, Sunday. The king ſent for all the "biſhops to come to him at 4 o'clock in the afternoon. We waited upon "him, *fourteen in number*. Then his majeſty chid us, that in this time of "parliament we were ſilent in the cauſe of the church, and did not make "known to him what might be uſeful, or was prejudicial, to the church; "profeſſing himſelf ready to promote the cauſe of the church. *He then "commanded us that in the cauſes of the Earl of Briſtol and Duke of "Buckingham, we ſhould follow the direction of our own conſciences, being "led by proofs, not by reports.*" (*Works*, iii. 189.) This was immediately after Briſtol's petition to the lords, and a full week before the croſs charges were formally preferred.

* "I have," ſays Roger Coke, another of Sir Edward's ſons, "heard "my father (though not a courtier, yet acquainted with many courtiers) "ſay, that they would oft pray to God that the prince might be in the "right way where he ſet, for if he were in the wrong, he would prove the "moſt wilful of any king that ever reigned." *Detection*, i. 211.

three months' ſtruggle; and on Arundel reſuming his ſeat received him with a burſt of cheering.

How little all this had helped either duke or king through the difficulty with Briſtol, it needs not to ſay. The croſs charges of the king againſt the earl, and of the earl againſt the duke and Conway, the latter being included in a ſubſequent proceeding, occupied the lords for the greater part of the ſeſſion; and are only to be referred to here for the king's extraordinary and unſucceſsful eagerneſs to protect himſelf againſt Briſtol's diſcloſures. He appealed to the houſe not to give the earl equality with the duke by a hearing *pari paſſu*; he attempted to remove the caſe to the king's bench, ſo as to cloſe his mouth as a witneſs; he made ſeveral efforts to deprive him of counſel; but the lords defeated him on every point, each peer voting as determinedly as if the caſe might next day be his own. And ſo at laſt the expoſure came. The alleged treaſon of Briſtol broke down altogether, and ſerved only to elicit an eaſy reply. The alleged duplicity and falſehood of Buckingham, and by implication of Charles himſelf, were eſtabliſhed incontrovertibly. Briſtol, a very able man, conducted his caſe with ſkill and temper: * and offered proofs, which to this day remain untouched by any later evidence, of the deſign on the prince's religion for which the Spaniſh journey was contrived; of profligate and inſolent conduct on the

* Briſtol appears only once to have been betrayed into expreſſions conveying an imputation which he felt that he could not prove; but the circumſtance of his having even taken up the ſuſpicion of foul play in regard to the death of James, ſhows how widely diffuſed the ſuſpicion was, and that it was not mere perſonal rancour in Eliot to refer to it as he will ſhortly be ſeen to do. Alluding to the promiſe which king James had given him that he ſhould kindly liſten to his caſe, Briſtol had added, "I pray God "that that promiſe did him no hurt, *for he died ſhortly after.*" But he craved pardon for the expreſſion on a ſubſequent day, and confeſſed it to have been uſed in paſſion. The intereſt taken by Eliot in the queſtions raiſed both by Arundel and Briſtol is ſhown by collections, among his papers at Port Eliot, of precedents and authorities applicable to each, drawn from the earlieſt as well as from later time, and elaborately written out with his own hand.

duke's part at Madrid; of the ſudden rupture of the treaty of marriage ſolely from perſonal reſentment; and of the falſehood and miſrepreſentation by which both the Engliſh parliament and the Engliſh king were afterwards deceived. He left it to his judges to remember for themſelves that the prince of Wales had been a party to the deceit.

The duke never replied to thoſe proofs. He ſaid afterwards he was too buſy in preparing his reply to a more formidable accuſer. To the latter I now return. The more formidable accuſer repreſenting the Engliſh commons, and warmly preſſing home the caſe of the St. Peter of Newhaven, has put him on his defence in a matter too ſharply engaging his feelings, and too deeply involving his agents, to be met by the indifference and ſcorn he had aſſumed in dealing with Briſtol.

IV. The St. Peter of Newhaven.

The courſe taken by Eliot in the matter of the arreſt of the French ſhip, the St. Peter of Newhaven, has now to be deſcribed. How ſtrongly he felt upon it we have ſeen; and in the many repreſentations, petitions, and complaints urged upon him by "merchants trading with "France," and preſerved among his papers still, we ſeem to have ſo many yet living witneſſes accounting to us for that ſtrength of feeling. One of the firſt notices given by him had relation to the ſubject, and he was named chairman of a ſelect committee to enquire into the ſeizure and arreſt of Engliſh goods and ſhips in France. On Wedneſday the 22nd of February he reported from this committee to the houſe for the firſt time, in a ſtatement which appears to have been liſtened to with extraordinary intereſt. The paſſages became ſo crowded as he ſpoke that it was neceſſary twice to clear them, and Laud thought the matter one of ſo much moment that he dates from it all the ſubſequent heats and excitement. "Wedneſday,

"and the feſtival of St. David," he writes in his diary, "a clamour aroſe in the houſe of commons againſt the "Duke of Buckingham, more particularly for ſtopping "a ſhip called the St. Peter of Newhaven after ſentence "pronounced. From that day there were perpetual heats "in the houſe." *

The facts, as brought out in ſucceſſive examinations by Eliot, were certainly ſtartling. The St. Peter, conveying ſilver, gold, and jewels to the value of forty thouſand pounds ſterling, was taken at ſea by the duke's cruiſers in the latter end of September; and, on the mere poſſibility of Spaniards having ſome intereſt in her or her lading, was brought into Plymouth, and without condemnation by any judge or court, ſtripped of ſome of her moſt valuable contents of which the duke's ſervants took poſſeſſion, and was then ſent up with the reſidue to the Tower. The indignation of the French at once declared itſelf by the ſeizure, on the 7th of December, of two Engliſh merchant ſhips at Newhaven: and ſo ſharp, in conſequence, was the immediate preſſure upon the council from other Engliſh merchants, that upon an order made, a decree for reſtoration of the ſhip and goods was obtained from the admiralty. The date of the decree was the 28th of December, and the releaſe of the ſhip was to take effect on or before the 26th of January. Nevertheleſs it was delayed; and on the 6th of February, to the conſternation of all who had ſtirred in the caſe, the ſhip and goods were declared to have been again arreſted by the lord-admiral, with the conſent and authority of the king. But further French repriſals rapidly ſucceeded; the excitement became too great to be ſafely reſiſted; and after further preſſure on the council, the reſult was a new decree from the admiralty-court reciting the former order, ſtating that its execution had been delayed to admit of the examination

* *Works*, iii. 183-4.

of additional witneſſes, and that ſuch witneſſes having been examined, the ſhip was now to be releaſed and reſtored to its owners. It did not however ſeem that the reſtoration had even then been honeſtly made. Some of the jewels originally taken had been appropriated paſt recall; and Sir James Bagg, again a member of the houſe, was alleged to have played a diſcreditable part on the duke's behalf in extorting conſent from the Frenchmen for compromiſe, on payments inadequate to the loſs, of ſeveral unlawful abſtractions made by the duke's officers. It was not denied, in the oppoſing ſtatements of Buckingham and his friends, that conſiderable ſums of money had been taken out of the ſhip; but it was averred that no regard had been had to the duke's private advantage in the tranſaction, that the money was ſhown publicly to the king, was thence committed to the keeping of the marſhal of the admiralty, Mr. Gabriel Marſh, and was afterwards employed for the king's ſervice. It was the repeated uſe of the ſovereign's name, and the manifeſt determination of Buckingham to throw the reſponſibility from himſelf upon Charles, which rendered the caſe difficult and dangerous of handling.

But Eliot never retreated before a danger of that kind. In his firſt report to the houſe he ſtated the facts; declared himſelf ſatisfied upon the evidence that, in one inſtance Sir James Bagg had extorted from one of the Frenchmen, "as a ſtranger againſt his will," conſent to forbear his right to 150*l* upon payment of 80*l*; drew attention to the fact that the three ſeveral grounds of the king's authority, information from the governor of the Tower, and conſent of Sir Henry Marten, had been pleaded for the arreſt on the 6th February; and recommended the houſe to hear Mr. Secretary Cooke as to the firſt point, Sir Allen Apſley upon the ſecond, and the worthy and learned judge of the admiralty upon the third. But Eliot had hardly ceaſed when Marten roſe; to the ſurpriſe of the houſe avowed himſelf to be in no

degree reſponſible for the courſe taken by Mr. Secretary Cooke and others of the king's ſervants in the matter; and challenged further enquiry. Then followed ſharp ſpeeches from Cooke and the chancellor of the exchequer; and, upon Sir Allen Apſley being called in the following day, he embroiled matters ſtill further by declaring that he never, as governor of the Tower, ſent information or advice to the duke that could have juſtified the ſecond ſtay of the ſhip. Similar evidence was given by the lieutenant of Dover caſtle. In this condition the queſtion was left, when the houſe (at a very late hour) broke up on Thurſday the 23rd.

It was reſumed on Wedneſday the firſt of March, when, after further report from Eliot, a remarkable ſcene enſued. It began by Marten repeating his ſtatement that ſo far from having adviſed the ſecond ſtay of the ſhip, Mr. Burlamachi could teſtify to his having been ready even to grant an attachment, if required, againſt all concerned in the arreſt; to which he added that, though upon the duke's previouſly applying to him for advice he certainly had ſaid a ſecond ſtay *might* be made "upon pregnant "proofs," he had at the ſame time "adviſed my lord duke "to beware of whiſperers." This called up Mr. Secretary Cooke, who admitted that he had at the council table maintained the right of ſeizing the ſhip, and alſo its policy, but that if he had erred in doing this, it was by the counſel of Sir Henry, who was ſpecially brought by the duke himſelf that day to the council board. Whereupon Marten ſtarted up "and denied giving the advice; and Sir John "Cooke affirmed again that he did;" and Marten of courſe made further appeal. "If the houſe believes Sir "John Cooke, he cannot be an honeſt man; and if he "affirm it, he muſt conteſt with him."* Then friends interfered, as is uſual in ſuch caſes; and the unſeemly diſpute cloſed with a modified admiſſion from the ſecre-

* Commons' *Journals*, i. 826.

tary, that ſtrictly ſpeaking it could not perhaps be ſaid that Sir Henry had adviſed ſtaying the ſhip, though certainly the ſtay was confirmed on his advice.* Marten never had been forgiven by the duke and the ſecretary ſince his ſpeech in the former parliament, and this was now but the firſt payment of the grudge they bore him.†

Paſſing this perſonal diſpute, however, Eliot kept attention fixed to the various facts in the caſe implicating the duke, his agents, and his officers. He preſſed ſo ſtrongly the imputation of diſhoneſt dealing with the Frenchmen that Sir James Bagg was at laſt impelled to addreſs the houſe, and to deny that he had been a party to any compoſition for the coin ſeized by the admiralty marſhal. That ſpeech was delivered in the afternoon of Wedneſday; and on Thurſday morning the 2nd of March, on the motion of Eliot, Mr. Gabriel Marſh was brought to the bar by the ſerjeant. As marſhal of the admiralty he could not deny that the money taken had been handed to the duke. He could not ſtate its exact amount becauſe it was "ſewed up in a girdle." He confeſſed that beſides the gold and ſilver, pearls and emeralds had been ſeized, and "the pearls and emeralds "he hath ſtill." He did not attempt to conceal that "it was by Sir James Bagg's perſuaſion" he ſought to effect a compromiſe with the Frenchmen, upon the final deciſion of the admiralty court in favour of the ſhip. He had offered 80*l*, and "ſtill thinketh it to be more "than the piſtolets came to." Had he offered leſs, then? He was preſſed upon that point. Had the Frenchman charged him, in the preſence of a member of that houſe, with having offered as little as 5*l*? He was unable ſo far to tax his memory; whereupon Eliot roſe and informed the houſe that he had himſelf been preſent, in Plymouth, at a conference of theſe unfortunate French-

* "That he ſaid not, Sir H. Marten gave advice for ſtaying of the ſhip; "but that the ſtay was confirmed upon his advice." *Journals*, i. 827.

† See *ante*, 335-337.

men with the duke's officers, when "the Frenchman "affirmed to Mr. Marſh his face, that he firſt offered him "5*l*, and then 10*l*, and ſo did riſe by fives till he came to 80*l*." Worthy Mr. Gabriel Marſh had hoped to do honour to Sir James Bagg in his own deſpite by fathering a handſome propoſal upon him, and now Eliot turned the laughter and ſcorn againſt both. He ſeems to have had little difficulty in obtaining a vote that day ordering "the duke to be appriſed that the houſe deſires "to be ſatisfied why, after the legal diſcharge of the "Peter, the ſame was again ſtayed."*

On Monday the 6th of March, the duke appeared at the bar accordingly, repreſented by Heath the attorney general, to explain what was required of him. He admitted the order at the council board for diſcharge of the ſhip, and his own direction for her ſtay; but the latter was not given, he ſaid, until after conſultation with, and authority from, the king. He had alſo fortified himſelf, before interference, with the ſanction of five or ſix learned civil lawyers. The judge of admiralty had no doubt declared that proofs would be required to make the ſecond ſtay legal, and upon failure of thoſe proofs the ſhip had been reſtored. What more did the houſe deſire? Already the French had done miſchief to Engliſh commerce greater than any of which pretence on their part had been made. He proteſted againſt their carrying further what was "not now a particular or perſonal "cauſe but a national controverſy." After the attorney general had ceaſed, many members ſpoke, and conſpicuously one of the weſtern gentlemen, the duke's and Bagg's friend Mr. Drake; but though extraordinary exertions were made to drop the affair at this point, and the inconvenience of proceeding with it after the ſpecial averments made was vehemently preſſed by the king's ſervants in the houſe, it was ultimately referred "to the "committee to conſider of the anſwer of the attorney

* *Journals*, i. 829.

" general as to the ſecond ſtay of the St. Peter of New-
" haven."

From that committee Eliot reported on Saturday the 11th of March, to the effect that they found the ſecond ſtay of the ſhip unauthoriſed by any information communicated by the lieutenant of the Tower or any other perſon; that the manner of ſuch a ſtay was a grievance; and further, that wrong had been done by the unlawful taking away of divers goods, ſilver, and jewels, at Plymouth, committed to the cuſtody of one of the lord duke's ſervants, and not reſtored at the firſt diſcharge of the ſhip.* Upon this a warm debate followed, occupying the entire morning, renewed in the afternoon, and prolonged beyond the ordinary time of the houſe's ſitting, when a diviſion was called for. Eliot and his friends reſiſted this, but it was finally paſſed, and the journals record the reſult. " Upon great doubt whether a queſtion
" ſhall now be made whether the ſecond ſtay of the
" Peter, after Admiralty decree, was a grievance or no,
" the queſtion being twice propounded, and the voices
" doubtful, the houſe divided. The Yeas went out, Sir
" John Eliot and Sir Dudley Digges, 127, the Noes re-
" mained, Mr. Drake and Sir George Moore, 133."
The duke's friends had muſtered in ſuch force, had played their game ſo well, had laid ſuch preſſure from the king upon the moderate and doubtful votes, and with ſo much dexterity had preſſed the diviſion at the cloſe of a very long debate, that in a houſe reduced to 260 members they obtained a majority of ſix.

Eliot did not renew the ſtruggle on the ſpecial queſ-

* Among Eliot's papers there exiſt ſtill his several collections of evidence made for theſe reports, apparently taken down by himself from the lips of the various witneſſes, carefully arranged and analyſed afterwards for uſe, and in which the identification of the duke and his agents with the malpractices complained of is brought out with irreſiſtible clearneſs. Eliot's queſtioning is remorſeleſs. He makes the deputies and collectors confeſs that acceſs to the great duke at all hours, at his "mornings," at his "dinners," at "night," had never been denied them in regard to this buſineſs; and they eſtabliſh his grace's eagerneſs to carry his own objects in connection with it.

tion until Monday the firſt of May. He had meanwhile conducted all the conferences, as to the embargo laid on Britiſh ſhips and goods in France; had aſſiſted Selden in conteſting the power of "excommunication" claimed by the eccleſiaſtical courts, in diſpute of which ſeveral papers of his ſtill remain; had been active in promoting the bill (paſſed the 25th March) for reſtitution in blood of Raleigh's ſon; had moved and preſided at a ſelect committee to ſearch precedents for "Doctor "Turner's caſe;"* had obtained the houſe's conſent to a ſelect and ſecret committee of twelve members for final preparation of the duke's impeachment; and exactly a week before had carried a deciſion againſt the duke, in a houſe of 396 members, by a majority of ſixty,† on which "occaſion Sir James Bagg and Mr. Fotherby" were commiſſioned to make his grace acquainted with the reſolution of the houſe, and that all the charges had been voted againſt him. All but one; and this, declaring the ſecond ſtay of the St. Peter of Newhaven a grievance to the ſubject, was voted on May-day in a houſe of 333 members, by a majority of 37.‡

The king appears deeply to have reſented this, and an attempt to reverſe the deciſion was made on the following day. It failed; and again, on the charges being tendered in a legal form to be read, Sir Dudley Carleton, the vice chamberlain, roſe and made an urgent appeal. The charge as to the St. Peter, he ſaid, was not fit to be tranſmitted to the lords. "It will not prejudice the duke, "for the king avoweth the act. This ſhip is reſtored, "and in France; yet our goods and ſhips have not been "reſtored, but more ſtrictly reſtrained than heretofore. "Doubteth the ambaſſador of France hath practiſed to "incenſe this houſe, to the French's benefit and the loſs

* *Journals*, i. 839.

† *Journals*, i. 849.—Yea, 228; Noe, 168.

‡ *Journals*, i. 852. Wentworth did not ſit in this parliament, but his intimate friend, Wandesforde, was one of the tellers for the majority.

"of the Engliſh." To which the only reply now made was to reaffirm the charge. The vice chamberlain's cloſing alluſion, it will hereafter appear, was directed againſt Eliot; and when, a little later in the ſeſſion, it was ſought to juſtify the outrage of his impriſonment, one ground ſtated for diſtinguiſhing his caſe from that of other members was, that in this matter of the Newhaven ſhip he had been actuated by perſonal motives, and had given preference to the French over his own countrymen.

"For if it pleaſe you to remember," ſaid Sir Dudley Carleton, defending before the commons the continued detention of Eliot in the Tower, "when I "moved for putting of the St. Peter of Newhaven out "of the charges againſt the Duke of Buckingham, and "ſhowed my reaſons for that purpoſe, you know how "tender Sir John Eliot was of it, as if it had been a "child of his own; and ſo careful in the handling "thereof by a ſtranger, that he would not ſuffer it to be "touched though with never ſo tender a hand, for fear "it might prove a changeling."

Eliot could not have received a higher tribute to his ſtatesmanſhip. Nothing preſſed againſt Buckingham takes ſo grave an aſpect, or appears fraught with conſequences ſo diſaſtrous, as this which Carleton would have turned into a reproach againſt Eliot. Viewed from the diſtance at which we ſtand, much that aroused againſt the favourite the bitter animoſity of his contemporaries has loſt all power of awakening ours, and to ſome of the charges embodied in his impeachment we liſten now with a calmneſs diſproportioned to the paſſion they then provoked. But the crime of driving two great nations into war by acts of reckleſs imprudence, profligate ſelfiſhneſs, or diſeaſed vanity, ſeems to us larger rather than leſs by the lapſe of time; and we can underſtand why Eliot ſhould have retained with ſo relentleſs a graſp, and why Selden ſhould have ſelected as that part of the impeachment he

was himſelf moſt eager to maintain, the charge of the unlawful ſeizure of the St. Peter of Newhaven.

V. Eliot and the King.

Monday the 27th of March, the king's inauguration day, had now come. Sir Dudley Digges was to report from the committee on the king's ſupply, Sir Benjamin Rudyard was to make a formal propoſition thereon, and Sir John Eliot was to offer ſuch perſonal offence to majeſty as even he had yet failed to give.

After ſome difficulty the queſtion put before the houſe took the ſhape of a ſuggeſtion for three ſubſidies and three fifteenths. This was a large ſum; but the ſpeech of Rudyard, who aſſumed his old character of mediator and moderator, ſhowed anxiety rather for the manner than for the ſubſtance of the gift. Whatever was voted, he ſaid, ſhould be voted at once, if they deſired happy iſſue to their deliberations. He had no wiſh to raiſe "panic fears," but the ſtate of chriſtendom was daily more alarming. And then he went into the ſtory ſo often told, and now with ſmall variation told once more, of the German catholic league and the operations upon it by way of diverſion, and how Engliſh help had become more than ever important, to ſupport Denmark, to encourage the Hollanders, and to engage the Swedes. All would be loſt if they did not now vote ſupply. Sir John Strangways, the member for Weymouth, roſe after Sir Benjamin, and expreſſed diſſatisfaction at the extent of the propoſed vote, ſeeing that the demand at Oxford had been for only forty thouſand pounds. He thought the preſent guarding of the coaſts to be dangerous as well as inſufficient, and wiſhed they could get back the trained bands who in '88 had guarded them. However, if ſupply was to be given, their grievances muſt go hand in hand. The good Sir Thomas Grantham's ſole objection to the pro-

poſal was in the matter of fifteens, which, as likely to be burdenſome to the poor, he would rather give in other form. Sir Henry Wallop, member for Hants, for the ſame reaſon would have had the vote taken for four ſubſidies. Mr. Spencer, who ſat for Northampton, thought three quite ſufficient, even omitting fifteens. Mr. Wandesforde inclined to the original propoſal. Sir George Moore, who had lately ſhown leanings to the court, did not object to the vote as propoſed, having been much moved by the conſiderations ſubmitted to them by the worthy knight who opened the buſineſs.*

At this point, when the debate was on the balance, and there ſeemed ſome wavering from the point to which Eliot's former ſpeech had fixed them for the time, of not giving until their grievances ſhould have received anſwer, Eliot roſe once more, and again diſplayed the orator's higheſt qualities of influencing, controuling, and guiding his audience. Nor leaſt effectively perhaps in his pleaſant opening as to Rudyard, where one may ſee in him, even at this ſerious time, a humanity of nature not entirely proof againſt that loweſt of intellectual enjoyments to which the higheſt intellects are prone. However "punic" Sir Benjamin's "panic" might have been, the little treachery or artifice was not likely to ſurvive the turn thus whimſically given to it.

"Sir," ſaid Eliot, with alluſion to their ſovereign's acceſſion to the throne, "This day was begun with a "happy auſpice, and I hope we ſhall give it as happy a "concluſion. Though our debate may be with ſome "variety of opinions, yet I doubt not but our reſolutions "will be one; and that what difference ſoever there may "be in particulars, we ſhall concur wholly in the general "for the good of the king and kingdom; to that di-"recting our motions as to their centre, where we ſhall "fix our period and reſt. The gentleman that at firſt,

* *Eliot's Notes*, N. 5, fols. 9 b. 10, and 11 a.

" with the advantage of the time, did induce this propo-
" ſition for ſupply, made a fine inſinuation by diſcourſe
" of the ſtate and affairs of chriſtendom; inferring from
" thence, out of their relation to us, the dangers we are
" in; and ſo preſſing the neceſſity of our aid, that thereby
" the king might be enabled to reſiſt them. Wherein
" as his proteſtation was that the fears which he pre-
" tended were not *panic*, I ſhall add this, too, in honour
" of that gentleman, that I hope they are not *punic*. I
" hope they were not uſed as artifices to move us from
" the fixed ſtation of our reaſons. With ſatisfaction
" unto him and the whole world beſides, let us obſerve
" and note them as things worthy conſideration and
" reſpect; but not of ſuch neceſſity and haſte as ſhould
" decline the gravity of parliament, and the due courſe
" of our proceedings. Let us therein retain ſtill the pre-
" ſervation of our orders and examples, the dignity and
" wiſdom of our anceſtors. Sir, a ſpecial reſpect, in this
" propoſition that is made, muſt be to the *ability of the*
" *ſubject*; what power he has to anſwer the occaſions of
" the king. For I remember a ſtory of Themiſtocles,
" that when, for the ſervice of the Athenians, he required
" certain monies of the Adrians who were then tribu-
" taries to that ſtate, he was anſwered that they were
" denied to furniſh him by the two great goddeſſes of
" their country, *poverty and impoſſibility*. Under that
" ſway were they then; and ſuch powers have no reſiſt-
" ance. If there ſhould be the like divinities with us,
" certainly, if we now refuſe as they did, our excuſe were
" as lawful. But to know this, we muſt firſt look upon
" the condition of the kingdom and the ſtate. That
" being known in truth, and compared with the occaſions
" that are extant, will beſt give a direction to our judg-
" ment. Therefore, with this ſhould we begin. Through
" that perſpective muſt be ſhown the power and ability
" we are in; for, whatever we intend, the ability only
" can crown our purpoſes. Without it, all the promiſes

" we make will be of none effect. This, then, I propoſe
" to conſider in two particulars; of eſtate and of will. For
" though the latter be not properly an ability, but a diſ-
" poſition, yet becauſe it is that which muſt give motion
" to the other, I ſhall ſo call it here, and give it ſome
" few obſervations out of the reaſons of theſe times and
" from the example of the elders. For the firſt, the
" ability of eſtate, I will not ſpeak much ſingly by itſelf,
" but as it ſhall happen by mixture with the other. For,
" though many things might be urged of dilation to this
" point, upon the preſent condition of the ſubject, yet I
" am confident there ſhall never want ability in England,
" or in Engliſhmen, to ſupply the king with aid neceſ-
" ſary and fit for the advantage and ſupport of all his
" juſt occaſions. But in ability of will; how the people
" ſtand diſpoſed, how they are affected; there are many
" things obſervable for our affairs abroad and for our
" affairs at home. And firſt for thoſe abroad in our late
" expedition to Cadiz. That was the firſt action of the
" king, and ſuch firſt acts are not of leaſt importance.
" Thereupon depends, as Tacitus has obſerved, the fame
" and expectation of whatever are to follow. Honor and
" contempt take their originals from thence; ſeldom
" afterwards changing, and that not without great diffi-
" culty and adventure. In this firſt expedition unto
" Cadiz, then, for which ſuch preparations had been
" made, ſuch immenſe proviſions, ſuch money buried in
" the employment, what has been the reſult? What
" encouragement from thence have we to render to the
" ſubject? What grounds of perſuaſion for the like?
" You have heard often what men and ſhipping have been
" loſt, as if they were offered as a ſacrifice to our enemies.
" How our ſtrength and ſafety have been impaired by
" that miſcarriage and adventure, is too known to all
" men. Sir, more than this, that ineſtimable jewel of
" our honour, which our fathers prized ſo highly, has
" been thereby cracked and blemiſhed! I dare not ſay

" it is broken, but the luſtre of it is gone; and what was " our greateſt riches being thus decayed, makes us leſs " valuable with our neighbours. Now, theſe great de- " ſigns we know were undertaken, if not planned and " made, by that great lord the Duke of Buckingham. " He aſſumed the name of general; he drew to himſelf " the power and ſole command of all things both for ſea " and land; nevertheleſs you know he went not in the " action. Fixed upon the perſon of this lord general was " the entire deſign; he had the whole command by ſea " and land; and yet he thought it ſufficient to put in his " deputy and ſtay at home! That for which the whole " kingdom muſt be troubled was not thought worthy of " his perſon; but a deputy, a ſubſtitute, muſt diſcharge " it; and what encouragement that might give to the " affections of the people, I leave to all men that have " reaſon to determine. But was this our firſt miſcarriage? " Before this, Sir, we had the action of Count Mansfeldt, " and that was ſo miſerable, and the men there ſent ſo " managed, as we can hardly ſay they went. Sure it is " that they did nothing, and yet how few returned! " The handful likewiſe which was ſent to the Palatinate, " not ſeconded nor ſupplied, it is known what fortune " *they* achieved. I might ſpeak alſo of the action to " Algiers and others of that nature, and aſk *who it was* " that in all theſe had the king's ear at pleaſure, and " faſhioned reports and propoſitions at his will? We " might remember, too, beſides theſe actions and engage- " ments, the treaties and negociations that have been; " the infinite expenſe they have coſt and the nothing " they returned. Nothing, but loſs and diſhonour to our " nation! And from it all ſuch diſcouragements might " well ariſe now, conſidering the abuſes of miniſters yet " too potent, as, ſhould a ſupply not be forthcoming at " this time, might juſtly make apology for the ſubject."

This was the moſt daring becauſe the moſt undiſguiſed attack that had yet been made upon Buckingham; and

coming ſo immediately after the king's peremptory mandate againſt further queſtioning of one ſo near to him, ſome doubted at the firſt if it were "timely." So a private letter tells us. But Eliot had taken truer meaſure of the time. He had ſeen the neceſſity at once of bringing back and fixing conſideration to the point in which alone any hope now reſted for them. They muſt break the favourite who muſt otherwiſe break them. It was not within poſſibility, after the inquiries opened and the reſults already obtained, that there ſhould be any middle courſe or bargaining. The time was paſſed for it. That he or they muſt fall, Eliot knew now to be the only iſſue, whatever time muſt elapſe before determining it; and when he had finiſhed the houſe knew it too.

Some gentlemen, he went on, might ſay to him that thoſe buſineſſes of which he had ſpoken were foreign and forgotten. Well, he would turn then "to their "own particular buſineſs, the affairs at home, and "the preſent adminiſtration of them. Sir, what "ſatisfaction, what liking can be rendered, what en- "couragement, what heart, what affection, can it give, "to that which is required? The oppreſſions, the "corruptions, the exactions, the extortions, are ſo infinite "as almoſt no part is free! Nay, hardly a man but has "ſome cauſe drawn from thoſe abuſes which doth both "diſhearten and diſable him. Honours made market- "able! judicial places ſold! and—what further ſhall I "ſay? If juſtice itſelf is ſold in turn, ſhall we not in "fairneſs acknowledge the rule *vendere quæ emeris gen-* "*tium jus eſſe?* Cicero, in one of his orations againſt "Verres, tells a ſtory of how the provinces on a time were "petitioners to the ſenate that the law for which they had "themſelves petitioned, *de pecuniis repetundis*, by which "all the corruptions of their officers had been made "puniſhable, might be repealed again. The ſenate, "when they ſaw the ſcope of this ſecond petition, began "to wonder at the thing, and deſired to know the reaſon

" why the repeal was ſought of that which had been
" granted only in favour of themſelves. But when they
" heard the anſwer they were ſatisfied, that though it
" was true the law had ſo been intended, yet the ſucceſs
" was otherwiſe. They found that thoſe officers before
" the law paſſed, not having the fear to be queſtioned,
" had made their exactions ſimply for themſelves, and
" for the ſatisfaction of their own private families and
" fortunes; whereas now, bent ſtill upon the old prac-
" tices, but held ever in terror by the law, they were
" enforced, beſides providing for private friends, to make
" themſelves friends at court, to procure themſelves ad-
" vocates, to procure themſelves patrons, nay, to corrupt
" the very judges for ſelf-protection and defence if their
" cauſe ſhould come in queſtion. So that they who be-
" fore made only ſingle exactions for themſelves, now
" did double their oppreſſions to that height, multiply-
" ing likewiſe the injuries with the occaſions, that the
" ſpoil of the provinces ſeemed to be divided ſolely
" amongſt them. Very natural, then, the reaſon of
" complaint which had ſo ſurprized the ſenate. But
" what application might this now have to us? How
" does it ſort with the experience of theſe times? Why,
" Sir, were not the truth and dignity of the author with-
" out queſtion, it might be taken rather for a propheſy
" of ours than for a ſtory of that age. We do not ſuffer
" only for the ſatisfaction of one kind of wrongdoers,
" but what is exacted in turn from our oppreſſor is made
" part of the oppreſſion upon us; we feed not only the
" inferior and ſubordinate perſons, but the great patrons;
" and that which ſhould be our ſafeguard is turned to
" our further wrong. The deſcription of Cicero is ſo
" like to the practices with us, that it ſeems to be a mere
" character of *our* ſufferings. What oppreſſions have
" been practiſed are too viſible. Not only oppreſſions
" of the ſubject, but oppreſſions on the king. His trea-
" ſures are exhauſted, his revenues are conſumed, as well

" as the treaſures and faculties of the ſubject; and " though many hands are exerciſed, and divers have their " gleanings, the harveſt and great gathering *comes to one.* " *For it is he who muſt protect the reſt.* His countenance " draws all others to him as his tributaries; and by that " they are enforced, not only to pillage for themſelves " but for him, and to the full proportion of his avarice " and ambition. This makes the abuſe and injury the " greater. This cannot but diſhearten, this cannot but " diſcourage, all men well affected, all men well diſpoſed " to the advancement and happiness of the king. Nor, " without ſome reformation in theſe things, do I know " what wills or what abilities men *can* have to give a new " ſupply."

Eliot pauſed at this point for a moment. He held up before the houſe, in old rolls of parliament, two precedents to which he deſired their attention, propoſing thereby to illuſtrate, from the elder time, that ſubordination of the power to the will of the ſubject in reſpect of ability to contribute, and that neceſſary ſubjection to both of the will and the wants of the ſovereign, which formed now their only rule to follow. He would ſhow them, in one and the ſame ſitting or ſeſſion of that houſe, a ſupply refuſed and then granted; refuſed before redreſs of grievances, but granted upon redreſs. They were not to ſuppoſe therefore, that his object, by what he had put before them, was to ſtop the propoſition. " Sir, " that is not my intention. I will vouch from theſe pre- " cedents of our anceſtors in old times, two denials in " like caſes, wherein yet they concluded with a grant. " In the beginning of the parliament, as I would have it " now and for like reaſons, *they refuſed*; yet in the ſame " ſitting they conſented, when, upon remonſtrance of " their burdens and neceſſities to the king, they had " ſatisfaction in their particular grievances, which were " ſo like to ours in all things but the time that I hardly " can diſtinguiſh them. The firſt precedent was in

"16th Henry III, when the commons, being required "to make a ſupply unto the king, excuſed themſelves; "becauſe, ſays the record, they ſaw all things diſordered "by thoſe that were about him. But when, upon their "advice, he had reſumed the lands of the crown that "were unjuſtly and unneceſſarily given away; when he "had yielded his miniſters up to queſtion; when he "had not ſpared that great officer of his court, Hugh "de Burgh, a favourite never to be paralleled but now, "having been the only minion both to the king then "living and to his father which was dead!—when they "had ſeen, as another author ſays, thoſe ſponges of the "commonwealth ſqueezed into the king's coffers; then, "though they had formerly denied it, they did freely "grant an aid. Yes, Sir, in the ſame ſitting wherein "they had refuſed, our predeceſſors in this place, having "for their king's good received ſatisfaction in what they "deſired, did at length conſent, and in ſuch meaſure "and proportion as the king himſelf confeſſed it was "more than enough. The ſecond precedent was in 1ſt "Richard II, and herein I ſhall deſire you to obſerve "the extraordinary likeneſs of ſome particulars. Firſt, "for the placing and diſplacing of great officers. Then, "within the ſpace of two years, the treaſurer was "changed twice, the chancellor thrice, and ſo of others; "ſo that great officers could hardly ſit to be warmed "in their places. Now, you can aſk yourſelves how it is "at preſent, and how many ſhifts, changes, and rechanges "this kingdom can inſtance in like time to parallel with "that.* Secondly, as to monies. I find that then "there had been monies previouſly granted, and not ac- "counted for; and you know that ſo it is yet with us. "Thirdly, there were new aids required and urged, by "means of a declaration of the king's occaſions and "eſtate; and this likewiſe, as we know, agrees with our

* The reader will remember, in connexion with this paſſage, the letter of Wentworth's correſpondent in a previous page. *Ante*, 466.

" condition. Yet then, becauſe of theſe and other " exceptions made againſt De la Pole, the Earl of " Suffolk, the minion of that time, of whom it was " ſaid that he had miſadviſed the king, miſemployed " his treaſures, and introverted his revenues, the ſupply " demanded was refuſed, until, upon the petition of the " commons, *he was removed both from his offices and the* " *court*. A commiſſion likewiſe was at the ſame time " granted for the rectifying of the king's eſtate; and " becauſe this imported an excellent intention and pur- " poſe of that parliament, though it had not the ſucceſs " and fruit it merited, I will be bold briefly to obſerve " the heads and grounds it had. Upon which you will " make your own inferences and judgement. It begins " thus:" and Eliot read from the roll he held.

" ' Whereas our ſovereign lord the king perceiveth by the grievous " ' complaints of his lords and commons, that his profits, rents and reve- " ' nues of his realm, by the ſingular and inſufficient counſel and evil go- " ' vernment of &c. be ſo much withdrawn, waſted, alienated, given, " ' granted, deſtroyed, and evil diſpended, that he is ſo much impoveriſhed " ' and void of treaſure and goods, and the ſubſtance of the crown is ſo " ' much diminiſhed, that his eſtate may not wholly be ſuſtained as ap- " ' pertaineth, &c. and the king of his free will, at the requeſt of the lords " ' and commons, hath ordained, &c. to examine as well the eſtate and " ' government of his houſe, as alſo all the rents, revenues, and profits, &c. " ' and all manner of gifts, grants, alienations, and confirmations, &c. of " ' lands, tenements, rents, &c. bargaining or ſold, to the prejudice of him " ' and his crown; *and of all jewels and goods which were his grandfather's* " ' *at the time of his death, and where they be become, &c. &c.*'

" Now, Sir," exclaimed Eliot, breaking ſuddenly off from both his precedent and argument as he cloſed the reading of this laſt ancient roll, " if there were but ſuch " a commiſſion here with us! That we might examine " the revenues of *our* king! That we might view that " ancient garden, and thoſe ſweet flowers of the crown! " That we might ſee them, even what they are now be- " come, and how, the encloſure being let down, it is " made a common paſture! Would that ſuch a com- " miſſion might be granted, if only that we then could " ſearch for the treaſures and jewels that were left by

" that ever bleſſed princeſs of never-dying memory, " queen Elizabeth! Oh, thoſe jewels! the pride and " glory of this kingdom! which have made it ſo far " ſhining beyond others! Would they were here, within " the compaſs of theſe walls, to be viewed and ſeen " by us, to be examined in this place! Their very " name and memory have tranſported me."

Bitter offence was taken by the king at Eliot's uſe and application of the two incidents of Engliſh hiſtory thus cited by him. With quick paſſion he reſented them, and with reſtleſs anger again and again returned to them; inſomuch that men came afterwards to refer to this memorable ſpeech as " that in which the two precedents were " quoted." * Nor was it the cloſeneſs and pungency of the parallel that perhaps ſo much affected him, as the paſſionate reference the orator had thence ſeized occaſion to make to that late attempt to put the crown jewels into pawn † wherein Charles was not leſs deeply implicated than Buckingham. Remarkable certainly was the daring, and not leſs remarkable the ſenſe of the neceſſity, which could have prompted at the moment ſuch an outburſt as that!

More collectedly he reſumed. " But I muſt recall " myſelf to the labour of this day, repeating only that " if ſuch a commiſſion were now extant and addreſſed " to thoſe that faithfully would execute it, ſuch ad- " vantage might it render to the king as would remove " all need to preſs ſupplies from us. And now, taking " up the obſervation which I left, this commiſſion " being granted in that ſecond Richard's time, and the " favourite being removed, parliament conſented to the " aid; and, as in the former caſe, in the ſame ſitting " wherein they had refuſed it. Upon ſuch reaſonable

* It is ſo deſcribed in an imperfect MS. abſtract in our record office under date 29th March, 1626.

† See *ante*, 451. It was for this Buckingham had gone with Lord Holland to the Hague.

" ſatisfaction, tending only to the king's good and " benefit, they at laſt granted and accorded it; and left " the example to poſterity *that alway's to comply is not* " *the duty of a counſellor.* Upon theſe obſervations " of our elders, then, to draw a concluſion for our " own time, what ſhall we now do? Shall we refuſe the " aid that is required, or ſhall we delay it till there may " be ſatisfaction given in ſuch things as we reaſonably " deſire? We will not refuſe it. No; I would not " doubt the juſtice of his majeſty therein; I would " retain a confidence of him equal to his goodneſs; and " that confidence, I doubt not, will be more prevalent " than perſuaſions. *Fidelem ſi putaveris, facies*, ſaith " Seneca. That confidence of ours will make him- " ſelf, I hope, more confident of us; and, ſo, our con- " currence eaſier in all matters and affairs. In the " aſſurance of which, let us now do as our fathers did " before us. Let us preſent our grievances and com- " plaints, that the ſatisfaction given in them may pre- " pare the affections of the people; but in the mean time " let us ſo far yield to the propoſition for ſupply as to " make a formal promiſe of the aid which is ſo urged by " the king. But for the act itſelf, for the paſſing of the " ſubſidy bill, that may wiſely and well have leiſure to " attend the deſpatch of the reſt of our affairs; to " which I hope our vote will be as auſpicious as in the " beginning this day was propheſied to the parliament. " For the amount, the three ſubſidies and three fifteenths " which are propoſed, I hold the proportion will not " ſuit with 'what we *would* give, but yet I know it is all " we are able to do or *can* give.' And yet this is not to " be the ſtint of our affections, but that we ſhould give " more upon juſt occaſion. Sir, from the reſult of our " deliberations I deſire may be derived a full ſtream of " happineſs and felicity both to the king and kingdom."*

* From the original MS. at Port Eliot. A brief and very imperfect abſtract in *Ruſhworth* (i. 220-1), which has been reprinted in the old

Upon Eliot's reſuming his ſeat, amid the excitement his ſpeech had occaſioned, Sir Robert Harley, member for Herefordſhire, thought it neceſſary to proteſt for himſelf that ſuch paralleling of times would be referred to perſons, and ſo he had doubts, which he could wiſh the houſe might reſolve, whether that might not reflect upon the king. Eliot to this merely roſe again and ſaid, that "his "parallels were not of the perſons of kings but of their "inſtruments;" and the houſe, brought fairly round to his own temper, would permit for that time no further queſtion thereon. Sir Humphrey May indeed made earneſt though unavailing appeal againſt the courſe propounded by Eliot, which, he ſaid, though not in terms of condition, would be held tantamount thereto, and ſuch as might not be put to a ſovereign; pointing out to them that the entire vote ſuggeſted would not be more, at the exiſting rate, than two hundred and fifty thouſand pounds; and imploring them in any caſe to give without limitation whatever they might pleaſe finally to determine.* The reply of the houſe was a vote nearly unanimous "that "three ſubſidies and three fifteenths be granted to his "majeſty in this ſeſſion of parliament, payable at three "ſeparate times; *the bill to be brought in when we ſhall* "*have preſented our grievances and received his majeſty's* "*anſwer thereto*;" and to this reſolution, from that time onward, they ſteadily and perſiſtently adhered.

Next day the king ſent to requeſt the houſes to attend him on the following morning at Whitehall; † whither accordingly, at nine o'clock on the 29th of March, both houſes went. He had brought them together, he

Parl. Hiſt. (vi. 441), but, ſtrange to ſay, has been wholly omitted by the editor of the more recent collection of parliamentary debates, is all that has hitherto been known of this memorable ſpeech, which had effects of ſuch hiſtorical importance.

* *Eliot's Notes*, N. 5, fol. 10, b.

† *Eliot's Notes*, N. 6, fol. 17, a. They had juſt met on the Tueſday morning, it would ſeem, when the meſſage reached them, not only deſiring their attendance next day but that all proceedings meanwhile ſhould ceaſe. Upon which "the houſe adjorned till Thurſday morning by itſelfe."

then told them, for very diſtinct reaſons. He had to give thanks to the lords, but none whatever to the commons, whoſe faults and ill conduct it was his purpoſe, then and there, through the mouth of his lord keeper to expoſe. Whereupon Coventry made a long ſpeech, telling them that the condition they had appended to their vote of ſubſidies was a diſhonour to his majeſty; that the conduct of their debates had been inſufferable, in permitting his greateſt ſervant to be traduced by men who neither by years nor education could attain to that depth; that, even on the day of his inauguration, they had in that manner allowed his council, his government, and his ſervants to be paralleled with times of the moſt exception; that this violation of royal rights under colour of parliamentary liberty was not his view of the uſes of a parliament, to which he would grant "*liberty of council* "*but not of controul*;" that he muſt command them, therefore, to ceaſe their unparliamentary inquiſitions; that if they did not vote a ſufficient and unconditional ſupply, they muſt expect to be diſſolved; and that he ſhould expect their final anſwer (it was now Wedneſday) on Saturday next. "Remember," ſaid the king, indorſing with angry rudeneſs the inſulting dictation of Coventry, "remember that parliaments are altogether "in my power for their calling, ſitting, and diſſolution; "and therefore, as I find the fruits of them to be good "or evil, they are to continue or not to be."

Sir Robert Cotton could have produced no precedent, in his records of eight hundred years, for ſuch a pretenſion as that. The forms of the conſtitution all men knew; but that they could be applied to the entire abolition of parliaments, no man had ever ſuſpected. When the commons again met the following morning, there was much excitement and ſome conſternation;* and

* Mede to Stutevile, 31ſt March and 8th April, 1626, among the Birch tranſcripts in the Sloane MSS. of the Britiſh Muſeum. When I publiſhed my firſt ſketch of Eliot, I referred to thoſe tranſcripts in the

they ſat with locked doors, placing the key in the ſpeaker's hands ſo that no member ſhould quit the houſe, a practice then very unuſual.* But, amid the agitation, Eliot appears to have preſerved both his determination and his temper. Heretofore what paſſed at that ſitting has been known only through one of Mede's letters to Stutevile,† but I can now ſupply ſome-

following note: "There is no mention of this in the debates, but I have it "on the authority of a manuſcript letter in the collection of Dr. Birch. "I may take this opportunity of ſtating that that learned perſon had with "his own hand tranſcribed for publication, from the Harleian and various "other collections, a vaſt number of letters illuſtrative of the reigns of "James I and Charles I; but which remain to this day on the ſhelves of the "Sloane collection, as the tranſcriber left them. Their arrangement and "publication would confer a valuable ſervice on hiſtory; yet I fear there is "no prevailing encouragement for undertakings of this ſort. It is to be "regretted." Twelve years after that remark was made, in 1848, the publication took place (ſee *ante*, 149, note), but was unfortunately very ill done. I take the opportunity of reprinting another note made by me at that time, on the occaſion of repeating a curious fact ſtated by M. Guizot, that in 1791 there had appeared in Paris a French tranſlation of Mrs. Macauley's hiſtory, purporting to be an original work by Mirabeau. "It is ſingularly "honourable to the French nation, that M. Guizot has found encouragement enough to make it worth his while to publiſh for the uſe of "his countrymen a ſeries of tranſlations of original memoirs of the times "of the two great Engliſh revolutions (*Collection des Mémoires relatifs à la Révolution d'Angleterre, accompagnée de Notices et d'Eclairciſſemens Hiſtoriques*), amounting to twenty-eight octavo volumes. Such a collection "would be invaluable to the hiſtorical inquirer in our own country; but "where is the public patronage that would bear out any Engliſh bookſeller "or Engliſh man of letters in ſuch an undertaking?" Since that period M. Guizot, unhappily poſſeſſed of leiſure only too ample, has made large additions to the illuſtration of this period of our hiſtory, by the completion of his account of the Revolution to the death of Charles, by his life of Cromwell, and his narrative of Richard's Protectorate; and every ſtudent of the time will find his account in thoroughly acquainting himſelf with theſe important and able books. It is not ſurpriſing that the intereſt with which intellectual men in that great country of France have ever regarded the Engliſh ſtruggle for freedom againſt the Stuarts, ſhould have increaſed of late years; and I may be pardoned for ſaying that from no quarter have the contributions lately offered by me to the better underſtanding of it, in ſuch books as the *Grand Remonſtrance* and *Arreſt of the five Members*, obtained more intelligent recognition than from French men of letters.

* *Ruſhworth*, i. 225.

† *Ut ſupra*, Brit. Muſ. Tranſcripts. In a letter of the ſame correſpondent of twenty days' later date, the propoſed iniquitous attack upon Cotton's library, which, when it actually came a couple of years later,

thing further from one of Eliot's notes. "As ſoon "as they were met again," writes Mede, "Sir John "Eliot roſe up and made a reſolute ſpeech, the ſum "whereof was, that they came not thither either to do "what the king ſhould command them, or to abſtain "where he forbade them; and therefore they ſhould con- "tinue conſtant to maintain their privileges, and not "to do either more or leſs for what had been ſaid unto "them." Eliot's own note is more ample but to the ſame effect. All buſineſs having been ſtopped, he remarks, and the houſe reſolved into grand committee, Sir John was called up. He ſaid that in his majeſty's ſpeech were three generals, and he ſhould make reply thereto. The firſt, a touch at their proceedings, on the ground that they had not been parliamentary. The ſecond, a ſuing at the retrenching of thoſe privileges by which alone they ſat there. The third, a demand for increaſe of ſupply, arguing neglect in them of what was fit to have been done. To the firſt he had to anſwer that the courſe they had taken was warranted by all former precedents, their examinations having proceeded under ſuch legal direction as all courts uſed and reſorted to; and for that wherein he had been himſelf brought into queſtion, the paralleling of times made lately by him, he was as clear to his own conſcience; wherefore he hoped confidently that all in general would conceive he intended nothing by thoſe precedents adduced but the honour and ſafety of his majeſty. To the ſecond he replied that the privileges of that houſe retrenched not the prerogative, but advanced the ſovereignty and honour of the king; whereas, on the contrary, what might they ſay to the claims put forth for the prerogative? His majeſty's commandment upon them not to

broke the heart of the learned and generous antiquary, is firſt ſhadowed forth. "Sir Robert Cotton's books are threatened to be taken away, be- "cauſe he is accuſed to impart ancient precedents to the lower houſe." The threat was beyond doubt connected with the two precedents vouched by Eliot, which had ſo embittered the king's reſentments.

touch by any inquiſition or examination that great man ſo near to him, was *ex diametro* oppoſed to the principles of their liberty. It had been the conſtant uſe of that houſe in all caſes, and againſt the greateſt ſubjects, to examine into whatever abuſes might have tended to the danger of the public; and therefore to the third point, concerning ſupply, he could only anſwer that till they were reſolved in that matter of the right to make inquiſition into the conduct of the miniſter, it was not poſſible for them with any freedom to enter into debate for a ſubſidy.* He would in concluſion move for a committee to conſider of a remonſtrance upon theſe points to the king; and amid cries of "Well ſpoken, Sir John Eliot!" the committee was forthwith named.

Word meanwhile had been carried to the king of the attitude taken up by the commons, and a line added by Eliot to his mention of the remonſtrance ſhows how prompt muſt have been the miſgivings at Whitehall on that note of alarm. "Defer it upon meſſage from the "lords touching ſome explanation." A meſſage ſo urgent, that in that ſame Thurſday afternoon both houſes were again in conference liſtening to what Mede, in a letter to Stutevile, calls a fair and ſubmiſſive ſpeech from the duke in the king's preſence, of which the object was to expound his majeſty's meaning about ſupply to have been, that if they could not conveniently do it by Saturday they might take two or three days more; and, in apology for himſelf againſt thoſe accuſations which common fame was about to prefer againſt him, to aſſure them that he had been anxious to have the narrow ſeas well guarded, that he had really been reluctant to take the admiralty on the ſcore of his youth until preſſed by

* *Eliot's Notes*, N. 6, fols. 17, b, and 18, a. Alſo N. 5. fol. 11, a. At the cloſe of the note in the firſt of theſe records there is a remark by Eliot which would ſeem to imply that the notes were partly taken from the rough book uſed by the clerk as memoranda to be transferred in more regular form into the journal. "Upon this," he writes, "a note in the margent of the "jornall, it being croſt in the leafe: *This to be entred in the com*[tee] *book.*"

Manſel,* that he had deſired extremely to lead the Cadiz expedition but was commanded otherwiſe by the king, and in concluſion, after a requeſt to them to be more charitable, ſaying that if any man in eſpecial blamed him, he did not blame that man, but thought he had done well.

Eliot was not moved by this alluſion intended for himſelf. Only "thoſe that were indifferent or not much "his enemies," ſays Mr. Mede, appeared to be ſatisfied. It was indeed, even though it had not been ſo manifeſt a pretence, too late. As the duke ſtood there, with the monarch by his ſide, ſpeaking in the name of the ſtate and apparently unconſcious but that it was of right ſelf-contained in his perſon, he embodied in viſible form that very cauſe of offence which in the humility of his language he affected moſt to deprecate, and which the commons were now pledged to abate. He was as much an anachroniſm as the lord keeper's expoſition of the conſtitution, and it was too late to protect either the one or the other. In leſs than a week, the commons' remonſtrance was preſented to the king. It vindicated Eliot and his precedents; and as to Buckingham, claiming it for their conſtant and undoubted right to enquire into the abuſes of power, it announced their intention, in whatever ultimate form they might prefer their accuſation, to proceed no otherwiſe in any particular but by ground of knowledge in themſelves or proof by examination of witneſſes.† The king's anſwer was a requeſt

* The old ſeaman did not contradict this, and it may therefore be accepted as a fact; but his ample excuſe was afforded by what the duke proceeded to ſtate. "Though I objected I was young and inexperienced, "yet he ſaid that *by my favour with my maſter I might do more good in "procuring payment for that charge &c.*" *Ruſhworth*, i. 230. Such had become the condition, in this as in all elſe, ſince the period of Buckingham's favour, that excepting by his means nothing whatever was poſſible that needed to be done.

† *Eliot's Notes*, N. 6, fol. 28, b. N. 5, fol 12, a. In the latter it is ſtated that Weſton made very earneſt ſtand at the laſt moment "againſt "naming the D, as fitteſt to give content to his ma^tie the remonſtrance "being in generall;" but no alteration was permitted.

that they would adjourn, as the lords had done, over the Eaſter holidays; and even this came to a ſharp diviſion of 120 to 150 upon the queſtion of compliance. From that point the king made no attempt further to reſiſt in the matter; but in a meſſage towards the cloſe of April told them he had "given way to their inquiries "about the duke." * It was Hobſon's choice with him.

On the twenty-ſecond of that month the queſtion of proceeding by common fame ſo as to bring the ſeveral charges under one accuſation, had been the ſubject of a remarkable debate, when the ſpeakers againſt that mode of proceeding were Mallet, Browne (the member for Glouceſter), Weſton, and May; and its ſupporters were Wilde (the member for Droitwich), Littleton, Wentworth (of Oxford), Selden, Henry Rolle, Sherland, Noye, and Eliot.† Rolle pointed out that a lord of the higher houſe, not being anſwerable in the lower houſe, if they could not preſent him on common fame he might never be drawn to anſwer. The civil law and the canons admitted it, ſaid Noye. Without it, ſaid Eliot, no great culprit could be brought to juſtice. If they might not tranſmit to the lords upon common fame, then muſt great men eſcape through the fear of danger in particular men to bring forward accuſations. They had in that place no other way of inquiry. They had no grand jury to preſent a charge; yet faults were not to go unpuniſhed becauſe no man dared accuſe. Selden put the ſame reaſon quaintly and pregnantly in the remark that the faults of the gods might not be told till the "terra parens" brought forth Fame. The vote declared it a ſufficient ground.

The reſt of the preparation was quickly made. On the day when that vote was taken the commons had perfected their charge, and adviſed the duke thereof by two of their members, who delivered to him the various heads

* *Parl. Hiſt.* vii. 37.
† *Eliot's Notes*, N. 6, fols. 21, a, b, and 22, a.

compriſed in it; and though, four days later, a delay was interpoſed by Glanvile, who moved the inſertion of a new article and carried it on diviſion by 191 to 150, all was completed at the opening of May. A meſſage then went up to the lords, deſiring, with as much convenient ſpeed as their occaſions might permit, a conference for impeachment and accuſation of "a great "peer of that houſe."

But though the king had given way to the inquiries about the great peer, his own further inquiries about Eliot and his precedents he had not conſented to ſurrender; and it will be ſeen that he reſumed them at an early opportunity.

VI. The Duke of Buckingham Impeached.

To the twelve articles of impeachment originally drawn up againſt Buckingham, the thirteenth, added on the report of Glanvile, charged it as "an act of tranſcend-"ant preſumption and dangerous conſequence" that he ſhould have applied remedies in king James's laſt illneſs againſt the order and in the abſence of the phyſicians. This was to be opened by Wentworth's great friend, Wandesforde.

The ſubjects of the preceding twelve compriſed plurality of offices, and appropriation by purchaſe of the higheſt employments, entruſted in the firſt, ſecond, and third articles to Mr. Herbert; imperfectly guarding the narrow ſeas, ſo that the ſhipping trade was ruined, and corruptly ſeizing a French ſhip (the St. Peter) under pretence of its being Spaniſh, ſo as to provoke French repriſals on Engliſh commerce, committed in the fourth and fifth articles to Selden; detaining Eaſt India merchant ſhips off Tilbury at a critical time as the means of extorting for their releaſe ten thouſand pounds from their owners, and delivering Engliſh ſhips for use againſt the proteſtants of Rochelle, given in the ſixth, ſeventh, and

eighth articles to Glanvile; ſelling titles and places of judicature, handed over in the ninth and tenth articles to Mr. Whitby; and ennobling poor kindred, with malverſation of the king's revenue, undertaken in the eleventh and twelfth articles by Pym.*

The votes paſſed concurrently with the completion of theſe charges exhibited ſtrikingly the deſire of the leaders of the houſe to deprive the impeachment not only of any colour of mere hoſtility to the king, but of all pretence whereby it could be characteriſed as a deſign to embarraſs the conduct of affairs or intercept the ſupply of the crown. Upon repreſentation of a fall in the value of ſubſidies, a fourth was added to the three previouſly voted; and upon the day when the eight managers were named as above, each having two aſſiſtants, to preſent the articles at conference with the lords, a bill for tonnage and poundage, accompanied by a remonſtrance againſt its paſt levy without authority, was laid on the table of the houſe.

Apart from the preſentation of the facts of each charge ſeparately, ſo aſſumed by the managers, two duties of more importance were reſerved. Sir Dudley Digges was to open the proceedings in a "prologue;" and to Sir John Eliot was committed the taſk of winding up the whole in an "epilogue."

The drama opened on Monday, the 8th of May. Among the aſſiſtants to the managers were Noye, Henry Rolle, Maſon, Littleton, Rudyard, Sherland, Rich, Kyrton, Strangways, Erle, and Sir William Armyne; fit places, "to their better eaſe and honour," were ſet apart for each; and ſtrict order had been given for "ſilence of all the houſe without expreſſion of any "liking or diſliking." The conference-chamber was crowded at their entrance, and not a little to the ſurpriſe of many it was obſerved that the duke himſelf was preſent.

* Ruſhworth's account of theſe matters is not correct. The only ſafe guide here is the *Journals* of the Houſe of Lords.

Sanderſon deſcribes this as ſo diſconcerting to the ſpeaker of the prologue that it brought him to a full-ſtop in the middle of his exordium.* The good Sir Dudley indeed, who could ſpeak and write very well when he pleaſed, had at ſtarting mounted up to ſuch dizzy heights of metaphor, that it was not ſurpriſing he ſhould loſe his balance eaſily. Profeſſing to deliver himſelf in "plain "country language, ſetting by all rhetorical affectations," he compared the monarchy to the creation, the commons to the earth, the lords to the planets, the king to the ſun, the clergy to the fire, the judges and magiſtrates to the air, and Buckingham to a comet, "a prodigious comet." The duke jeered and laughed, ſay the letter writers; and for a time, in bad taſte as it was, his mirth might have had ſome excuſe; but Sir Dudley hit more heavily before he cloſed, and the ſpeeches afterwards delivered by Selden and Glanvile were ſuch as might wiſely have given him pauſe. Nevertheleſs he continued, from time to time, his demonſtrations of unſeemly ridicule, until ſuddenly checked by Digges himſelf. "My lord, do you jeer?" exclaimed Sir Dudley, with ſufficient readineſs to do that for another which for himſelf he had failed to do. "Are "theſe things to be jeered at? My lord, I can ſhow "you when a man of a greater blood than your lordſhip, "as high as you in place and power, and as deep in the "favour of the king, hath been hanged for as ſmall a "crime as the leaſt of theſe articles contain!" †

With the eighth article Monday's proceedings cloſed. It was now grown late, and, in the homely language of one the members preſent, "the lords and all of us

* "Here Sir Dudley made a ſtand, as wondering to ſee the Duke preſent," 42. On the other hand I quote from a curious unpubliſhed account of the proceedings among the MSS. at Port Eliot: "Being all ſet, Sir Dudley "Digges began, ſtanding right againſt the face and eye of the Duke, "for he in his pride would be ſeen; as it was thought, to daunt or diſ-"courage them; but this worthy knight delivered the preamble with excel-"lent grace, boldneſs, and brave words."

† See Ellis's *Original Letters* (ſecond ed.) iii. 226. An obvious miſtake is made by the letter writer in ſubſtituting Glanvile for Digges.

"were in a ſweat with heat and thirſting. We could "go no farther. The lords deſired that the reſt of the "charge might be the next day, and ſo we went all "weary home to our lodgings about ſix o'clock at "night."* Nevertheleſs it was not to be next day; a ſudden attack of illneſs had diſabled Mr. Whitby, who was to open the ninth article; and an adjournment had to be propoſed to the day following, while Mr. Sherland prepared to take his place. The interval was employed characteriſtically. So incenſed had the commons been, writes Mede to Stutevile,† at the duke ſitting there that previous day, outfacing his accuſers and outbraving their accuſations, that they were become reſolute for his commitment to cuſtody pending the iſſue of the impeachment. This had before been under debate, but was laid aſide on the conciliatory meſſage from the king. Again it had been ſtarted, on the morning when the charge was taken up; but the court party interpoſed ſuch delays that to conclude it then was impoſſible. Now once more, on this Tueſday the 9th of May, it was reſumed; and excited by the warmth of the diſcuſſion, one of the duke's friends who repreſented Lichfield, Mr. Dyott, gave ſuch extreme offence that he was then and there ſequeſtered during pleaſure. The ſcene altogether was a remarkable one, and till now has not been reported. A manuſcript at Port Eliot‡ will here deſcribe it for us, and with ſome vivacity will depict and preſent to us both parties in the heat of the debate.

"A gentleman," writes this worthy member (name unknown), "ſuddenly ſtood up and began to ſpeak of the "proud and inſolent carriage of the duke; that he would "come and ſit yeſterday with the lords, and in ſuch a "place as all the reporters muſt ſtand juſt before him, "which was done of purpoſe to diſcourage or abaſh them;

* Manuscript at Port Eliot.

† Letter of 11th May, 1626.

‡ Partly written in a kind of ſhorthand, which I have had difficulty in deciphering. The ſpelling is here modernized.

" and how he ſlighted what was ſaid; and therefore con-
" cluded that he thought there could be no fair proceed-
" ings except he were either ſequeſtered or impriſoned.
" Then many ſpake; much condemning the duke, and
" commending our gentlemen for their reſolution. Then
" there aroſe a lawyer, one Mr. Dyott, one that hath
" often ſpoken for the duke, and ſpoke ſome unſeemlie
" words of the houſe; as that we thought too baſely of
" the lords to think they would not proceed in juſtice
" againſt the duke although he ſate amongſt them;
" and other words, which founded ſo ill as it ſtirred the
" houſe exceedingly, and cauſed a great diſpute, ſome
" ſpeaking for him, others againſt him. But the houſe
" would not be ſatisfied; and Mr. Dyott was ſequeſtered
" the houſe, and not to return before he petitioned, and
" confeſſed his fault at the bar. This being ended,
" our debate went on, when we ſate till near 4 o'clock.
" Some argued that it was not juſtice to require a com-
" mitment before examination, and he heard; others that
" he was charged with treaſon and other great miſde-
" meanors, and cited precedents of like nature. So
" when they had ſpent out all the ſpeakers for the duke,
" it came to a queſtion; and the greater ſound was for
" the duke's impriſonment. Yet the other ſide would
" not yield unto it. So the houſe was to be divided;
" and they that would have him committed were to go
" out, and thoſe that would not were to ſit ſtill. Then
" a gentleman ſtood up and ſaid, *What! do you mean, now*
" *being ſo late, that you will divide the houſe? It is*
" *apparent that we have loſt it, and that the I's have it.*
" Others cried *Divide! Divide!*' Upon this the houſe
" went out in ſo great a number, as, *then*, they that
" tarried within would yield it. But then we that were
" gone out would not have it, but by counting the
" polls to ſee who was ſtronger in the houſe. So then
" the privy council came to the doors to deſire there
" might be an end of it. They would yield. That

" our number was more. But we would not. Now we " would be counted, and ſo ſhould they. So both " were counted; and there was but one hundred and five " for not impriſoning, and two hundred and twenty-five " for his impriſonment. And ſo after 4 o'clock we " went to dinner. As ſoon as we had dined we met " againe, and by a committee the meſſage for his com- " mitment was read, and Sir Nathaniel Rich appointed " to be the meſſenger."

The preciſe time for its delivery at the bar of the lords had yet to be ſettled, and this was determined by Eliot's interference. He moved that it might be reſerved until the opening of the charge was complete, and there was no danger of mixing up with it merely perſonal conſiderations.* It was reſolved accordingly that it ſhould not be delivered till Thurſday. The ſpeaker of the epilogue doubtleſs would have given much that the duke ſhould again have confronted his accuſers.

But this was not to be. On the morning of the day when the epilogue was to be delivered, Buckingham had abſented himſelf.† It was the prudent courſe; and well for him that it was taken. After Sherland had ſpoken in place of Whitby, and Pym in one of his weightieſt ſpeeches had cloſed the caſe, Eliot aroſe; and never in that or any preceding time was delivered a perſonal attack of more ſuſtained or eloquent invective, more earneſt or more diſdainful. " This," ſays the nameleſs member already quoted, " was as bold and worthy a ſpeech as " ever I heard, onlie a little too tart." It was indeed a philippic of the bittereſt order. Eliot had ſummoned to his ſervice all his powers, and his argument was enviroined with a paſſion that was little ſhort of terrible.

As this ſpeech is now to be preſented, it will not be too much to ſay, a juſt and adequate impreſſion of it

* *Eliot's Notes*, N. 6, fol. 26, b. See alſo *Commons Journals*, i. 858.

† The duke's abſence on the day when Eliot was to ſpeak is obſerved upon in a letter in the *Harl. MSS.* 383.

will for the firſt time be obtainable. From the conference it was reported to the lords by the biſhop of Norwich ſo imperfectly, that he had to tender apology for it on the ground that "he could not get any help "from the gentleman who maintained that part of the "charge:" the gentleman being in truth at that moment in the Tower. Yet the biſhop's is the ſole report by which it has been known, until now that I print it here as preſerved by Eliot, and bearing about the ſame relation to the other as the choice work of an artiſt with his own finiſh, to his original rude ſketch filled in by a bungling hand. If we did not know it from other ſources, it would appear generally upon the face of his ſpeeches themſelves, that, as in the inſtances already given from the Oxford ſitting, Eliot ſpoke always, though with careful ground-work of preparation in his elaborate efforts, upon the occaſion as it aroſe. The ſecret of his influence as a ſpeaker, with himſelf as with Philips,* conſiſted in that fact; and it will be ſeen, as he advances in his career, that his more ſtriking efforts could not poſſibly have been premeditated. Happily note-books were buſy all around him; † and unqueſtionable evidence exiſts that the Port Eliot MSS, from which ſuch invaluable contributions are made to theſe pages, had been prepared by himſelf from his own papers and other note-books, both before and during the enforced leiſure of his laſt impriſonment. He may have deſired to leave behind him ſuch authentic records of his career, but the chief and more immediate object doubtleſs was to have

* See *ante*, 212.

† The king himſelf had as many as four or five note-takers, in all the ſittings, available to ſupply him with reports of what paſſed. Upon a queſtion of expreſſions employed in the very ſpeech before us, the vice-chamberlain (Sir Dudley Carleton) afterwards told the houſe of commons "that the king, hearing by common report that ſuch words were ſpoken, "and thereat being highly offended, ſent for four, five, or ſix note-books, "and therein found thoſe words, or ſuch in effect." *Commons Journals*, i. 861.

tranſcriptions made for his friends. It was the invariable cuſtom then, as Fuller tells us,* "that gentlemen, ſpeakers "in theſe parliaments, ſhould impart their ſpeeches to "their intimate friends, the tranſcripts whereof were "multiplied amongſt others." A care in which alſo was implied, it will hardly be neceſſary to ſay, infinite care in the original preparation. Arduous and toilſome then were the ſelf-impoſed neceſſities of all intellectual labour; and in the remarks here made, there has of courſe been no intention to depreciate preparation and ſtudy as eſſential to ſucceſs in oratory. Nowhere, not in the ornate and fantaſtical quaintneſses of Digges, is its preſence more obſervable than in the nervous and daring invective, the clear and gorgeous declamation of Eliot; and we have it out of all experience, down from the orators of antiquity, that he who moſt patiently prepares will moſt readily acquit himſelf. The elaborate impromptu laughed at by the wit is the grave exploit of the orator.

In Eliot's general ſtyle of ſpeaking, the reader will by this time have remarked, there were few of thoſe ornate and involved periods common to the time, and diſtin-

* In one of the beſt prefaces ever written to the very worſt book ever compiled (*Ephemeris Parliamentaria*, 1654). Fuller attributes to the frequency of the tranſcripts the confuſion at times ariſing out of different copies of the ſame oration. He deſcribes it alſo as an ordinary occurrence that a man ſhould be indebted to a friend for means to complete the report of his own ſpeech: "ſo that the fountain (as I may ſay), being dried up, hath "fetcht water from the channel." He has alſo a remark upon a claſs of legiſlators who, leaving no ſuch records behind them, have yet left an example of priceleſs worth which it would have been well that the legiſlators of ſucceeding times ſhould have taken more to heart. "Many worthier there "were in that place who only were dextrous at ſhort and quick returnes, "and which retrieved long debates with ſome ſhort and compendious anſwer "very effectuall to the purpoſe. For ſometimes a ſtiletto blow may give a "more deep and deadly wound than the point and edge of the ſharpeſt ſword, "which requireth more time and room for the managing thereof. Yea, "many a diſcreet gentleman, who, after long traverſing of matters, "judiciouſly beſtowed his yea or nay in the right ſcale thereof to weigh "the balance down when in equilibrio of ſuch matters of high importance "(though otherwiſe not haranguing it in large diſcourſes), might return to "his countrey with ſatisfaction to his conſcience that he had well deſerved "thereof."

guiſhing not a few of its weightieſt ſpeakers. His vivacity was equal to his earneſtneſs, yet never ſo diſplayed as to detract from it. He had in great perfection ſome of the higheſt qualities of an orator, ſingular power of ſtatement, clearneſs and facility in handling details, pointed claſſical allusion, keen and logical argument, forcible and rich declamation; but in none of theſe does he at any time ſeem, however briefly, to indulge merely for its own ſake. All are ſubordinated to the deſign and matter in hand. The ſubject is the maſter with him, and the reſt are ſervants. The reſult is an impreſſion from all his ſpeeches as of reading a thing not external or apart from him, but one with himſelf, a phaſe or development of his nature. Each was ſpoken for a purpoſe, and the purpoſe is always paramount. Nothing is ſo rare, or ſo deciſive of the higheſt order of ſpeaking, as this interpenetration of every part of a ſpeech by the ſubject to which it relates; ſo that nothing diverges from it, nothing interrupts it, and the graſp is never let go. It was in Eliot's caſe *character*. As he acted, he ſpoke; and when once he had faſtened on the object of his wrath or his deſire, he kept firm and never quitted his hold.

"My lords," he began, "you have heard, in the "labours of theſe two days ſpent in this ſervice, a repre-"ſentation from the knights, citizens, and burgeſſes of "the commons houſe of parliament, of their apprehen-"ſions of the preſent evils and ſufferings of this king-"dom; of the cauſes of thoſe evils; and of thoſe "cauſes the application made to the perſon of the "Duke of Buckingham; ſo clearly and fully, that I "preſume your lordſhips now expect rather I ſhould "conclude than that anything more or further ſhould "be added to the charge.

"You have heard how his ambition has been expreſſed, "by procuring the great offices of ſtrength and power in "this kingdom, and in effect getting the government of

" the whole into his own hands. You have heard by " what practices and means he has attained them, and " how money has ſtood for merit. How they have " been executed, how performed, it needs no argument " but the common ſenſe. To the miſeries and misfor- " tunes which we ſuffer therein, I will add but this: that " the right, the title of the ſeas, the ancient inheritance " of our princes, the honour of this land, loſt or im- " peached, makes it too apparent, too much known. I " need not further preſs it. But from hence my obſer- " vation muſt deſcend upon his other virtues, as they " come extracted from thoſe articles which you have " had delivered. And this by way of perſpective I will " give ſo near and ſhortly, that I hope your lordſhips " ſhall conceive it rather an eaſe and help to excitate " your memories than to oppreſs your patience.

" My lords, I will take the inward characters, the " patterns of his mind, as you have heard them opened. " And firſt, his colluſion and deceit; crimes in them- " ſelves ſo odious and uncertain, that the ancients, know- " ing not by what name to term them, expreſſed them in " a metaphor calling them *ſtellionatus*, from a diſcoloured " beaſt ſo doubtful in appearance that they knew not " what to make it. And thus, in this man's practice, " we find it here. Take it in the buſineſs of Rochelle. " Firſt to the merchants, by his arts and fair perſuaſions " drawn with their ſhips to Dieppe, there to be en- " trapped. Then to the king and ſtate, with ſhadows " and pretences colouring that foul deſign which " ſecretly he had plotted againſt Rochelle and religion. " Then to the parliament, after his work was finiſhed or " in motion, and the ſhips given up into the French- " men's hands, not only in diſguiſing but denying the " truth of that he knew. A practiſe as dangerous, as " diſhonourable to us both in the precedence and act, as " in the effect and conſequence it proved prejudicial and " ruinous to our friends!

"The next preſented was his high oppreſſion, and "this of ſtrange latitude and extent; not unto men "alone, but to the laws, nay, to the ſtate. The plea- "ſure of his majeſty, his known directions, his public "acts, his acts of council, the decrees of courts—all "muſt be made inferior to this man's will! No right, "no intereſt, may withſtand him. Through the powers "of ſtate and juſtice he has dared ever to ſtrike at his "own ends. Your lordſhips have had this ſufficiently "expreſſed in the caſe of the St. Peter, and by the "ſhips at Dieppe."

Some movement here among his audience appears to have reminded Eliot of the exiſtence of a royal warrant in that caſe; and of excuſes that might be, that indeed already had been, founded upon it. He knew it, for the warrant to Pennington was in his own hands. But now, as he did ever, he turned ſteadily aſide from all attempts of others to fix the king with reſponſibility, that he might himſelf more reſolutely fix it on the miniſter. At the ſame time ſome one privately whiſpered to him that the ſhips had now been returned.* He pauſed a little, and reſumed.

"My lords, I ſhall here deſire you to obſerve one "particular more than formerly was preſſed, concerning "the duty of his place in this. Suppoſing he might, "without fault, have ſent thoſe ſhips away, eſpecially "the king's; ſuppoſing that he had not thereby injured "the merchants, or miſinformed the king, or abuſed "the parliament; ſuppoſing even that he had not done "that worſe than all this, of now ſeeking to excuſe him- "ſelf therein by entitling it to his majeſty; nay, my lords, "I will ſay that if his majeſty himſelf were pleaſed to "have conſented or to have commanded, which I can- "not believe; yet this could no way ſatisfy for the

* Sir Dudley Carleton afterwards made it a charge againſt Eliot that he was "informed in the houſe and privately told" as to this point, but that he went on as if it had not been ſaid to him. *Journals*, i. 859.

" duke, or make any extenuation of the charge. For it " was the duty of his place to have oppoſed it by his " prayers, and to have interceded with his majeſty to " make known the dangers, the ill conſequences that " might follow. And if this prevailed not, ſhould he " have ended there? No; he ſhould then have ad- " dreſſed himſelf to your lordſhips, your lordſhips " ſitting in council, and there have made it known, " there have deſired *your* aids! Nor, if in this he ſped " not, ſhould he have reſted without entering before you " a proteſtation for himſelf, that he was not conſenting. " This was the duty of his place; this has been the " practice of his elders; and this, being here neglected, " leaves him without excuſe. I have heard it further in- " deed ſpoken as excuſe, that the ſhips are now come " home; but give me leave, I beſeech your lordſhips, in " prevention to object to that (though I confeſs I know it " not), that it leſſens not his fault. It may commend the " French, but cannot excuſe him, whoſe error was in " ſending them away. When the French once had them " they might have kept them ſtill, for aught I know, " notwithſtanding all his greatneſs. Certainly we do " know only too well that they executed, to perfection, " their work againſt Rochelle and religion!

" The next your lordſhips had was his extortion, his " unjuſt exaction of 10,000*l.* from the Eaſt India " merchants without right or colour. And this you " heard exquiſitely expreſſed by the gentleman who had " that part in charge, who mathematically obſerved the " reaſon upon which it proceeded and was enforced. " He revealed to you that ſecret of the ſeas in taking " of the wind, which at the Cape they have at known " and certain times; and many of your lordſhips would " probably obſerve that the ſkill ſo timely uſed was " gotten recently in the late voyage, *to which you know* " *who ſent him.*"*

* The alluſion is to the ſubjoined paſſage in Glanvile's ſpeech on the

Here, at this bitter and sarcastic reference, well understood, to the late gross and lawless attack on Glanvile's liberty, Eliot again heard murmurs from those around him, as if his purpose had been mistaken and he intended to refer to the king; and one of the lords themselves turned to the peer next him with a remark hardly audible (that "it was the king sent Glanvile"),* to which he at once replied.

"Because I hear a mention of the king's sacred name "in this, I must crave your lordships' leave thus far "to digress as here to make this protestation, which I "had in charge from my masters the knights, citizens, "and burgesses of the commons house of parliament, "that in nothing we intend to reflect the least ill odour "on his majesty or his most blessed father of happy "memory, but with all honour of their names we do "admire them, and only strive to vindicate their fames "from such as would eclipse them.

"After this, my lords, followed the corruption, the "sordid bribery of him whom I now charge, in the "sale of honours, in the sale of offices. That which "was the ancient crown of virtue is now made mer- "chantable, and justice itself is a prey to this man. All "which particulars, as you have heard them opened "and enforced with their several circumstances, reasons, "and proofs, to show what in themselves they are, what "in their consequences, and what they may now merit,

6th article. Glanvile, I ought to have stated (*ante*, 476), had been sent, upon compulsory appointment, by way of punishment and to prevent his possible election to parliament, as secretary to the fleet in the Cadiz expedition. "Well knowing how great a hindrance it would be if the ships "should be stayed, in regard that if they did not sail at that time, then by "reason of the course of the winds called the monsoons, which were con "stant six months easterly and six months westerly every year, in the parts "of Africa about the Cape of Bona Speranza, of which winds, &c. &c." —*Parl. Hist.* vii. 78.

* "And here," says a marginal note to the manuscript from which I quote, "one of the lords interposed a criticism and censure *that it was the king who sent him*; which being overheard, there was occasion taken for "the protestation following."

"I presume I need not to dilate, but, your lordships "knowing all so well, leave them to your judgment."

His next subject was the wicked prodigality of Buckingham's expenditure. He placed beside it the wants of the kingdom, connected with it some dark suspicions of the people, and hurled forth the daring invective with prodigious effect. These passages were the subject of report and inquiry afterwards; but it did not seem that in performing a necessary part of his duty by adverting to one of the charges in the impeachment, Eliot had spoken with unwarrantable excess. The act charged, altogether irrespective of motive or of purpose, was truly and at the least, as the commons described it, one of transcendent presumption and dangerous consequence. There was no question that it had been committed, and as little that it provoked suspicion, not at the time only but very widely since;* and whether Eliot believed or not that it involved a darker crime, it may be allowed to one who has no such belief to say that he was quite justified in applying to it the language he borrows from Cicero.

"And from hence I am raised to observe a wonder, "a wonder both in policy and nature. For not less is it "that this man, so notorious in ill, so dangerous in the "state, so disproportionable both to the time and govern-"ment, has been able to subsist and keep a being. But "as I confess it for a wonder, so must there also have "been art to help and underprop it, or it could not

* It was even found necessary, upon the lapse of the impeachment by dissolution of the parliament, to quiet the feeling that prevailed by going through the pretence of filing an information against the duke in the star chamber, in order to procure a formal "acquittal" from the charge by a constituted authority in the state! In connection with this a curious revelation will shortly be made. Mr. Brodie (*Brit. Emp.* ii. 123–130) has collected with much care all the facts and authorities; and though I cannot agree in his conclusions, the case presented is undoubtedly startling. To find the suspicion even momentarily entertained by such men as Selden, Glanvile, Wandesforde, and Eliot, is also in itself disquieting. I have referred (*ante*, 504) to Lord Bristol's remark respecting it. See also *ante*, 199.

"have continued ſo long. To that end, therefore, your "lordſhips will have noted that he made a party. He "made a party in the court, a party in the country, "a party in almoſt all the places of government, both "foreign and at home. He raiſed, and preferred to "honors and commands, thoſe of his own alliance, the "creatures of his kindred and affection, how mean ſoever; "whilſt others, though moſt deſerving, nay all that were "not in this compaſs, he croſſed and oppoſed. And hav-"ing thus drawn to himſelf a power of parties, a power "of honours, a power of offices, and in effect the powers "of the whole kingdom whether for peace or war; and "having uſed theſe to ſtrengthen and add to his alli-"ances; he then, for his further aggrandiſement, ſet "upon the revenues of the crown, interrupting, ex-"hauſting, and conſuming that fountain of ſupply. "He broke thoſe nerves and ſinews of the land, the "ſtores and treaſures of the king. That which is the "blood and ſpirit of the kingdom, he waſted and con-"ſumed. Not only to ſatisfy himſelf, his own deſires "and avarice, but to ſatiate others with pride and "luxury, he emptied thoſe veins in which the kingdom's "blood ſhould run, and by diverſion of its proper courſe "caſt the body of the land into a deep conſumption. "This your lordſhips ſaw in the opening of that point "concerning the revenues. What vaſt treaſures he has "gotten, what infinite ſums of money, and what a maſs "of lands! If your lordſhips pleaſe to calculate, you "will find it all amounting to little leſs than the whole "of the ſubſidies which the king has had within that "time. A lamentable example of the ſubjects' bounties "ſo to be employed! But is this all? No: your lord-"ſhips may not think it. Theſe are but collections of "a ſhort view, uſed only as an epitome for the reſt. "There needs no ſearch for it. It is too viſible. His "profuſe expenſes, his ſuperfluous feaſts, his magnificent "buildings, his riots, his exceſſes, what are they but the

"visible evidences of an expreſs exhauſting of the ſtate, a "chronicle of the immenſity of his waſte of the revenues "of the crown! No wonder, then, our king is now in "want, this man abounding so. And as long as he "abounds, the king muſt ſtill be wanting.

"But having thus prevailed in wealth and honours, "he reſts not there. Ambition has no bounds, but like "a violent flame breaks ſtill beyond; ſnatches at all, "aſſumes new boldneſs, gives itſelf more ſcope. Not "ſatisfied with the injuring of juſtice, with the wrongs "of honour, with the prejudice of religion, with the "abuſe of ſtate, with the miſappropriation of revenues, "his attempts go higher, even to the perſon of his "ſovereign. You have before you his making prac- "tice on that, in ſuch a manner and with ſuch effect "as I fear to ſpeak it, nay I doubt and heſitate to think "it. In which reſpect I ſhall leave it, as Cicero did the "like; *ne gravioribus utar verbis quam natura fert, aut "levioribus quam causa poſtulat.* The examination with "your lordſhips will ſhow you what it is. I need not "name it."

The final reference to Buckingham had extraordinary force and vividneſs, and a letter writer deſcribes the "emotion" excited by it in the lords. The whole of theſe concluding paſſages are indeed grandly ſuſtained; and very ſtriking at the laſt is the effect produced by the quiet reference to himſelf, with its ſober contraſt to all that implacable bitterneſs and ſupreme diſdain.

"In all theſe now your lordſhips have the idea of the "man; what in himſelf he is, and what in his affections. "You have ſeen his power, *and ſome I fear have felt it.* "You have known his practice, you have heard the "effects. It reſts then to be conſidered, being ſuch, "what he is in relation to the king, what in relation to "the ſtate, and how compatible or incompatible with "either. What he is to the king, you have heard; a

" canker in his treaſures, and one that reſtleſſly conſumes " and will devour him. What he is to the ſtate, you " have ſeen; a moth to goodneſs, not only perſiſting in " all ill ways but preventing better. His affections are " apparent not to be the beſt, and his actions prove it. " What hopes or expectation, then, he gives, I leave it " to your lordſhips. I will now only ſee, by compariſon " with others, where I may find him paralleled or " likened; and, ſo conſidering what may now become " him, from thence render your lordſhips to a ſhort " concluſion.

" Of all the precedents I can find, none ſo near re- " ſembles him as doth Sejanus, and him Tacitus de- " ſcribes thus: that he was *audax; ſui obtegens, in alios* " *criminator; juxta adulatio et ſuperbia.* If your lord- " ſhips pleaſe to meaſure him by this, pray ſee in what " they vary. He is bold. We had that experience " lately: and of ſuch a boldneſs, I dare be bold to " ſay, as is ſeldom heard of. He is ſecret in his pur- " poſes, and more; *that* we have ſhowed already. Is " he a ſlanderer? is he an accuſer? I wiſh this par- " liament had not felt it, nor that which was before. " And for his pride and flattery, what man can judge " the greater? Thus far, I think, the parallel holds. " But now, I beſeech your lordſhips, look a little " further. Of Sejanus it is likewiſe noted, amongſt " his policies, amongſt his arts, that to ſupport himſelf " he did *clientes ſuos honoribus aut provinciis ornare.* " He preferred his friends, he preferred his clients, " to ſecond, to aſſiſt him: and does not this man do " the like? Is it not, and in the ſame terms, a " ſpecial cauſe in our complaint now? Does not this " kingdom, does not Scotland, does not Ireland ſpeak " it? I will obſerve but one thing more, and end. It " is a note upon the pride of Sejanus, upon his high " ambition, which your lordſhips will find ſet down " by Tacitus. His ſoleciſms, his neglect of counſels, his

" veneries, his venefices,* theſe I will not mention " here: only that particular of his pride, which thus " I find. In his public paſſages and relations he would " ſo mix his buſineſs with the prince's, ſeeming to con- " found their actions, that he was often ſtyled *laborum* " *imperatoris ſocius:* and does not this man do the " like? Is it not in his whole practice? How often, " how lately have we heard it! Did he not, in this " ſame place, in this very parliament, under color of an " explanation for the king, before the committees of " both houſes, do the ſame? Have not your lordſhips " heard him alſo ever mixing and confuſing the king " and the ſtate, not leaving a diſtinction between them? " It is too, too manifeſt.

" My lords, I have done. YOU SEE THE MAN! " What have been his actions, whom he is like, YOU " KNOW. I leave him to your judgments. This only " is conceived by us, the knights, citizens, and bur- " geſſes of the commons houſe of parliament, that by " him came all our evils, in him we find the cauſes, and " on him muſt be the remedies. To this end we are " now addreſſed to your lordſhips in confidence of your " juſtice, to which ſome late examples† and your wiſdoms " invite us. We cannot doubt your lordſhips. The " greatneſs, the power, the practice of the whole world, " we know to be all inferior to your greater judg- " ments; and from thence we take aſſurance. To that, " therefore, we now refer him; there to be examined, " there to be tried; and in due time from thence we " ſhall expect ſuch judgment as his cauſe merits.

" And now, my lords, I will conclude with a par- " ticular cenſure given on the Biſhop of Ely in the time " of Richard I. That prelate had the king's treaſures at

* Such expreſſions could not of courſe have been directly applied to Buckingham. They are inſinuated only through Sejanus. In the report in the *Journals* this point is miſſed, and the effect wholly loſt. But ſo it is throughout.

† The alluſion is to the impeachments of Bacon and Middleſex.

" his command, and had luxuriously abused them. His " obscure kindred were married to earls, barons, and " others of great rank and place. No man's business " could be done without his help. He would not suffer " the king's council to advise in the highest affairs of " state. He gave *ignotis personis et obscuris* the custody " of castles and great trusts. He ascended to such a " height of insolence and pride that he ceased to be fit for " characters of mercy. And therefore, says the record " of which I now hold the original, '*per totam insulam* " '*publicè proclametur*; PEREAT QUI PERDERE CUNCTA " 'FESTINAT. OPPRIMATUR NE OMNES OPPRIMAT.'

" And now, my lords, I am to read unto your lordships " the conclusion of this charge, and so to present it to " you:

'And the said commons, by protestation saving to themselves the liberty 'of exhibiting at any time hereafter any other accusations or impeachment 'against the said duke: and also of replying unto the answer that the said 'duke shall make unto the said articles or to any of them, and of offering 'further proofs also of the premises or any of them as the case shall 'require, according to the course of parliament: do pray that the said 'duke may be put to answer to all and every the said premises, and that 'such proceeding, examination, trial, and judgment may be upon every 'of them had and used as is agreeable to law and justice.'

" And having discharged this trust, my lords, imposed " upon me, unworthy of that honor; and having therein, " in the imperfections which naturally I suffer, made " myself too open to your lordships' censure; I must " now crave your pardons and become a petitioner for " myself, that those weaknesses which have appeared in " my delivery may, through your noble favours, find " excuse. For which, as that gentleman my colleague " who first began made his apology by color of com- " mand, mine, my lords, is likewise spoken in my " obedience. I was commanded, and I have obeyed. " Wherein let me desire your lordships, that, notwith- " standing the errors of which I may be guilty, nothing " may reflect upon my masters; or be from thence

"admitted into your lordſhips' judgments to diminiſh or "impeach the reputation of their wiſdoms. Theſe, I "hope, ſhall give your lordſhips and the world ſuch "ample teſtimonies as may approve them ſtill to be de- "ſerving in the ancient merits of their fathers. This "for them I crave; and for myſelf I humbly ſubmit in "confidence of your favours."*

Upon Eliot reſuming his ſeat, the conference broke up; and on the following Saturday and Monday, the 13th and 15th of May, eight peers reported the ſpeeches to the upper houſe, and the articles of impeachment were laid on the table of the lords. Startling events had occurred in the interval.

VII. Eliot sent to the Tower.

Eliot's ſpeech was delivered on Wedneſday, and on Thurſday morning Sir Nathaniel Rich went to the upper houſe with a meſſage for the duke's commitment. Upon this the duke addreſſed the lords. Now that the commons had ſhot their bolt againſt him, he rejoiced to be delivered out of their hands into thoſe of their lordſhips. He proteſted his innocency, but he would not there ſay anything elſe to caſt dirt at thoſe who had taken pains to make him ſo foul. He deſired only that his trial might be haſtened. He ſpoke, ſays one who was preſent, with the confidence inſpired by what already, earlier that morning, had tranſpired in the houſe of lords.

The king had been there "very early in the morn- "ing," and had ſpoken to the peers from the throne in a few ſentences written for him by Laud. By the ſpeech of Eliot he had been extraordinarily moved. When the reference to Sejanus was reported to him, "implicitly," he exclaimed, "he muſt intend me for "Tiberius!"† and hurried to the lords. As he ſpoke,

* From Eliot's MS. at Port Eliot, indorſed by him: "Keepe this ſafe "where it may not be loſt."

† Harleian MSS, 383. Mede to Stuteville, 11th May, 1626. "I canno

Buckingham ſtood by his ſide. Imputations had been caſt upon his honour, he ſaid, and he appealed to them for vindication. He had thought fit to take order for the puniſhment of ſome inſolent ſpeeches ſpoken to them yeſterday.* It behoved themſelves to preſerve the honour of the nobility againſt the vile and malicious calumnies of members of the houſe of commons.† As to the duke's innocency of all the charges brought againſt him, he could himſelf be a witneſs to clear him in every one. —The indecency of ſuch an attempt, ſo ſhameleſs in the ſovereign, to override an accuſation brought in the name of all the members of one of the houſes of the legiſlature, met with its rebuke in a ſullen ſilence. No manifeſtation of any kind was made while he ſpoke or when he ceaſed. He returned in his barge to Whitehall, while Digges and Eliot were on their way to the Tower.

They were ſitting that morning in their places in the houſe, when, as upon ſome ordinary buſineſs, they were called to the door;‡ a warrant was ſhown them by two

" hold," ſays the goſſiping Mede, before telling what he had heard about the king: " this great Thurſday makes me add this private news which " I deſire you to keep to yourſelf as your own, by ſeparating this half-ſheet, " and burning it or concealing, &c." The writer afterwards tells his correſpondent that, being with Sir Robert Cotton that morning, the latter had told him that the king's affection towards the duke " was very " admirable—no whit leſſened." By admirable he meant *wonderful.*

* Here the king unconſciouſly betrayed that not " ſpeeches " were in his mind, but one ſpeech only; that of Eliot ſpoken " yeſterday." See *Parl. Hiſt.* vii. 39.

† See Laud's *Diary*, May 11, 1626. Laud elſewhere confeſſes (*Troubles and Trial*, chap. xlii.) that he had, upon the ſummons of the king, ſuddenly prepared the ſpeech for him.

‡ The MS at Port Eliot ſays: " Being diſputing concerning the man- " ner of queſtioning the recuſants, Sir D. D. and Sir John Elliott went out " of the houſe. We know not where lies the reaſon. There was one at " the door ſent for them to come out, and when they came out there was " an officer with a warrant from his majeſty to carry them both to the " Tower. And thither they went: and there they are. The occaſion we " know not. After it was known in the houſe they preſently would not " go forward with any other buſineſs, but cried out to *Riſe! Riſe!* So they " aroſe. Neither in the afternoon would any committees ſit." A letter of the 13th of May (from Birch's tranſcripts in the Sloane MSS) tells us: " About the time his majeſty had ended his ſpeech, Sir Dudley Digges and

king's meſſengers; and they were taken to the Tower. So ſuddenly had it been done, that not until Rich's return after delivering the meſſage for the duke's impeachment was the fact made known. The houſe at once broke out into violent agitation. Men before now had been made accountable for what they had ſpoken as repreſentatives of the people, and had been corrected and puniſhed for words ſpoken in parliament; but never while parliament ſtill ſat; never until a diſſolution had intervened, and the privilege of the houſe was ſuppoſed no longer to inveſt them. The firſt of thoſe open and undiſguiſed outrages which brought their author to the ſcaffold was *this*. "Mr. Pym ſtood up," ſays Mede in a letter to Stuteville, "and began to in-"ſinuate an exhortation to patience and wiſdom." But there was no patience then for even ſo honoured and experienced a counſellor. "Riſe! Riſe! Riſe!" was the ſhout on all ſides, and the only conceſſion he could obtain. They would give the enemy no advantage by haſty and ill-conſidered anger; and poſtponing all the buſineſs before them, they roſe until the following day. All that afternoon, ſays the letter juſt quoted,* they formed into groups in Weſtminſter-hall, "ſadly com-"municating their minds to one another."

The following morning, Friday the 12th, they reaſſembled; but upon the Speaker offering to proceed to the buſineſs of the day, "Sit down! Sit down!" was the almoſt univerſal cry; "no buſineſs till we are righted in "our liberties!" "The houſe was very full," ſays the Port Eliot manuſcript, "and ſate very ſilent long. Not "one man ſpake. At laſt a lawyer, one Mr. Wyell,† "began to expreſs the occaſion of our ſilence. The loſs

"Sir John Eliot were ſent for out of the houſe. Upon Sir Nath. Rich's "return from the lords it was perceived in the lower houſe whither Sir John "Eliot and Sir Dudley Digges were gone: whereupon they broke off all "buſineſs."

* Harl. MSS. 383. 12th May, 1626.

† Evidently Wilde, the member for Droitwich.

" of our friends was grievous: but more grievous that " the members of a body ſhould be rent and torn " from the body to which they belonged. It was as a " mother who ſhould have her child taken violently " from her. He compared that to our cauſe, and " that it was againſt privileges and the great charter. " Then many ſpake: one after another: that we could " do no buſineſs before theſe men were out of priſon in " our houſe. So what will come of us we know " not." Amid that uncertainty, the new vice-chamberlain preſented himſelf. Sir Dudley Carleton, lately returned from his embaſſies at Venice and the Hague, had come down to the houſe expreſſly to ſet matters ſtraight; and hoping they would follow Mr. Pym's advice yeſterday, and do nothing tumultuouſly, at laſt he prevailed upon them to hear him. It turned out, however, that he was not at that time prepared with much to ſay as to the provocation given for the commitments, except that much offence had been taken by the Duke of Buckingham, and in his opinion juſtly, at Sir John Eliot's calling him " this man," " the man," and ſo forth, which appeared to Sir Dudley in a high degree contemptuous and unbecoming. But upon the conduct generally of that houſe to their ſovereign, the vice-chamberlain delivered his mind very frankly; diſcloſed more of the ſecrets of the court than he had probably been inſtructed to reveal; and not a little aſtoniſhed the Engliſh commons. " I beſeech you, gentlemen," he ſaid, " move not his majeſty with trenching upon his " prerogatives, leſt you bring him out of love with par- " liaments. In his meſſages he hath told you, that if " there were not correſpondency between him and you, " he ſhould be enforced to uſe *new counſels*. Now, I " pray you to conſider what theſe new counſels are, and " may be. I fear to declare thoſe that I conceive. In " all chriſtian kingdoms you know that parliaments were " in uſe anciently, until the monarchs began to know

" their own ſtrength; and, ſeeing the turbulent ſpirit of " their parliaments, at length they, by little and little, " began to ſtand upon their prerogatives, *and at last* " *overthrew the parliaments throughout chriſtendom, ex-* " *cept here only with us.* And indeed you would count " it a great miſery, if you knew the ſubjects in foreign " countries as well as myſelf; to ſee them look not like " our nation, with ſtore of fleſh on their backs, but like " ſo many ghosts and not men, being nothing but ſkin " and bones with ſome thin cover to their nakedneſs, " and wearing only wooden ſhoes on their feet; ſo that " they cannot eat meat, or wear good clothes, but they " muſt pay and be taxed unto the king for it. This is " a miſery beyond expreſſion, and that which YET *we are* " *free from!*"

The travelled and experienced Sir Dudley had ſcarcely thus delivered himſelf, when his ears were ſaluted with loud and unaccuſtomed ſhouts of "To the bar! To the bar!" and he very narrowly eſcaped the neceſſity of apologiſing at the bar on his knees. But the revelation he had made was long remembered; and when men had ceaſed to laugh at the ſkin and bones, and the wooden ſhoes, they called to mind that England was indeed the only one of three great kingdoms which had not yielded to the ſword; that, as Philips ſo nobly had reminded them in the Oxford parliament,* England was the laſt monarchy which yet retained her liberties; and that it behoved them, for better reaſons than any under the cap of the vice-chamberlain, to take timely warning by the examples of France and Spain.

One of Eliot's notes has preſerved for us what followed at this ſitting. The houſe had turned itſelf into grand committee, and Henry Rolle was in the chair. Sir John Savile, who had ſhown ſtrong tendencies to the court ſince Sir Thomas Wentworth took up with the

* *Ante*, 409.

oppoſition,* endeavoured to quiet the excitement by deſcribing his own commitment for three weeks in Elizabeth's time, the houſe ſtill ſitting, and himſelf not informed of the cauſe; yet, on its being moved in the houſe, they would not reſolve it to be a breach of their privilege, but ſimply directed that the queen be made acquainted that he was a member, whereupon ſhe ordered his diſcharge. To which Sir Thomas Hobby replied that he alſo remembered having ſat in that parliament, and that Sir John's caſe, being one in which his offence did not appear to have been given as a member, was wholly different from the preſent, wherein that was not only ſo, but the two members had been ſent to priſon out of the very houſe itſelf; an act wholly without precedent. The reſult was, that on the motion of Noye, it was reſolved not only that no buſineſs ſhould be done till their members were diſcharged, but that there ſhould be remonſtrance made to the king on that breach of privilege, and "to ſhow him "whom we conceave to be the cauſe of this."†

* I may take the opportunity of ſaying here that Eliot's intereſt in the Yorkſhire elections had continued in this as in the laſt parliament, and that he was not more ready formerly againſt Wentworth than now againſt Savile to oppoſe all unfair tampering with the rights of the electors. The reſult was a warm reſentment on the part of Savile, in the courſe of which he "made remark on Sir Jo. Elyott for which he was obliged to give ſatis-"faction in his place" (*Journals*, i. 862). As I have named this new election diſpute, I cannot reſiſt borrowing from it the examination of two witneſſes, a father and a ſon, in reference to the original of a letter of which a copy had been handed in. It will ſhow that election witneſſes flouriſhed as luxuriantly in the ſeventeenth as they have ſince in the nineteenth century.

"An. Foxcrofte (ſon): Thinketh Da. Foxcrofte, his father, had this "original within this fortnight. Saw it within theſe 3 weeks, in the "counting-houſe window. Saw it within this week, and had it within "this week, in his own hands. Thinketh his father now hath it; but "knoweth not that certainly. Confeſſeth he ſaw it yeſternight, and had it "in his hands, and delivered it to his father."

"Dan. Foxcrofte (father) called in: Confeſſeth he hath ſeen the original, "whereof this is a copy. Saw it within this fortnight. Being aſked when "the laſt time he ſaw it, ſaith he is old, and his memory bad. Confeſſeth "he ſaw it within this week. Confeſſeth he had ſeen it within 24 hours. "Aſked again, whether he had it not laſt night; confeſſeth he had. "Aſked where the letter is; confeſſeth he hath it about him. *And delivered "in the letter.*"

† *Eliot's Notes*, N. 5, fol. 18, a, b.

Sir Dudley Digges was liberated next day. He had been included in the arreſt becauſe of a report of his having ſaid, alluding to the imputation of the thirteenth article as to the drink and plaiſter given by the duke to the king's father, "that he did forbear to ſpeak further, "in regard to the king's honour." But the words were denied by Digges himſelf; and though the duke ſtill tried to fix them upon him, and roſe nine times at the one morning's ſitting to endeavour to convince his brother peers,* Sir Dudley's own denial was confirmed by thirty-ſix lords preſent at the conference, and his arreſt was of neceſſity remitted. Only one, Lord Holland, could be found to ſay that he had heard anything like the words; and he was too notoriouſly the duke's creature to obtain any ſhow of credence.† The truth became indeed plain, that Buckingham had ſeized on one of Digges's expreſſions employed in a quite different ſenſe, in the belief that it might be uſed to make Eliot reſponſible for darker and more criminal imputations than were intended by the alluſion to Sejanus.

Againſt Eliot the blow was really aimed, and upon him it was intended to have fallen heavily. It was the beginning of the cruel perſecutions he had foreſeen and prepared himſelf for when he decided finally on his preſent courſe; and which were only exhauſted at laſt by the death of their victim. The character of the impriſonment to which he was immediately conſigned may be judged from the circumſtance that the cell into which

* See archbiſhop Abbot's narrative in *Ruſhworth*, i. 450.

† In *Eliot's Notes* (N. 5, fol. 18 b.) there is an account of what paſſed in the commons houſe on Saturday the 13th, immediately before Digges's releaſe, from which it appears that Littleton, Sir Nathaniel Rich, Sir Francis Stewart, and Pym ſtrongly denied the alleged expreſſions; whereas, according to Carleton, "not one but four or five members not only affirmed "it before, but yeſterday again, and the king laſt night at ſupper told him "the words were ſo." Ultimately the houſe fixed the charge of falſe repreſentation on Sir Thomas Jermyn, the member for St. Edmunds. Sir Thomas afterwards admitted (N. 6, fol. 28 a), that he had been miſtaken.

he was thrown in the Tower was that which in little more than two years received the man who murdered Buckingham.* It will ſhortly be ſeen alſo that the deſign was, if poſſible, to have made him reſponſible for offences of wider ſcope than any contained in his ſpeech at the conference.

On Tueſday the 16th of May, Sir Dudley Digges reſumed his ſeat in the houſe, which at once, upon his entrance, "turned themſelves into a grand committee "concerning Sir John Eliot." The chancellor of the exchequer then roſe and earneſtly counſelled moderation in their proceedings. That the king was very careful of entering upon their privileges, he had given good teſtimony by his proceedings with the member who then reappeared among them; but the buſineſs of Sir John Eliot was of another nature. The way he had diſcharged the bidding of the houſe had indeed been wholly diſpleaſing to his majeſty; but apart from this, the king charged him with things extrajudicial to that houſe. It would be well therefore that they ſhould go on with their buſineſs, and leave a caſe of that kind to be dealt with by his majeſty. Being aſked what he meant by "extrajudicial," Weſton replied that it was the king's word, and that without the king's leave he could not explain it. We will adjourn, then, until you have leave, was the rejoinder; becauſe this is the only buſineſs we can poſſibly go on with. And, after a vote clearing by name their ſix managers at the conference from having in any particular exceeded their commiſſion, the houſe adjourned accordingly.

Next day, the 17th, the explanation was given, and one of Eliot's notes enables me to deſcribe what paſſed. Sir Richard Weſton began by ſtating that he had leave to explain the word extrajudicial, which was that his majeſty had committed Sir John Eliot for high crimes

* Letter in the Harleian MSS, 390.

againſt his majeſty done out of that houſe. A perfect ſilence followed this remark by the chancellor. No one ſpoke; there ſeemed an indiſpoſition to ſpeak; whereupon Sir Dudley Carleton offered a ſuggeſtion that as no more queſtion was made of Sir John Eliot by his majeſty for anything done in quality of a member, probably their beſt courſe might be to clear him by a vote in all he had done by their bidding at the conference, and for the reſt to petition the king for his releaſe. At this the ſilence ſuddenly broke. There was an indignant ſhout of diſſent; and the vice chamberlain, whom there had been ſcant diſpoſition to liſten to ever ſince the wooden ſhoes ſally, had now to explain for himſelf. He proteſted he meant no offence. In Elizabeth's reign there were three members, Sir Anthony Coke, Sir Henry Bromely, and Sir John Savile, taken out of that houſe *ſedente curia*, at the time when he was himſelf a member. And there were three ſimilar caſes in the 25th of Elizabeth; thoſe of Mr. Morice, attorney of the court of wards, Sir Edward Hobby, and Mr. Beale; all of whom were taken and ſent to the Tower, yet the houſe notwithſtanding proceeded with buſineſs, not even petitioning for their deliverance. With this he ſat down; and againſt a very general deſire rather ſtrongly expreſſed by the houſe, which appeared to think the vice chamberlain not entitled to anſwer on the point, Sir Thomas Hobby perſiſted in replying to him. He alſo had a ſeat in that parliament of Elizabeth, and recollected the caſes referred to; but not one of the perſons named had been committed for any offence in parliament. It was true that the houſe had not petitioned in the caſes, for it was no wiſdom to deſire what they knew beforehand there was ground or good reaſon for denying. Let the charge againſt Sir John Eliot be diſtinctly ſtated, and it would then be ſeen if the alleged offence were ſo far beyond their cognizance that they might properly interfere at all. A man might be taken out of that houſe *ſedente*

parliamento, as Doctor Parry was, to be hanged, drawn, and quartered. Some laughter following upon this mention of Parry's caſe, and no one ſeeming diſpoſed to prolong the debate, the vice chamberlain roſe again, and hoped the houſe would at leaſt ſuſpend any further reſolution till his majeſty had opportunity to prove the accuſation made. It was not what had happened at the conference, but "ſomething elſe which might be diſ-" covered by the ſight of Sir John Eliot's papers, or " ſome other means." Diſregarding this intimation, it was ordered that the ſub-committee then drawing up the remonſtrance ſhould " take therein what concerns Sir " John Eliot and add it to the reſt;" and once more the reſolution was directed to be read from the chair, that they would paſs to no other buſineſs until righted in their liberties.*

That was on the 17th of May. Meanwhile time had not been loſt in attempted dealings with the priſoner in the Tower. But ſuch denials or explanations as Digges had made, ſuppoſing ſuch to be obtainable, were not ſought from him. Far beyond the narrow compaſs within which the queſtioning of Digges had lain were the matters on which it had been reſolved to bring Eliot to the queſtion. The hope deſperately ſeized at was to trump up ſome charge of treaſon. Beſides his private papers, at which the vice chamberlain had hinted, all things ſaid by him ſince parliament met, and eſpecially the ſpeech of the two famous precedents, were to be revived and raked into for matter againſt him; and on the 18th he was examined, upon queries drawn up by the lord keeper, in the Tower. The draft in Coventry's handwriting of " Lord Keeper's queſtions to be propounded to " Sir John Elliott" remains in the ſtate paper office under that date, ſide by ſide with the reſult of the examination that followed on the ſame day " before Sir Randall " Crewe k^nt^, lord chief juſtice for pleas to be holden

* *Eliot's Notes*, N. 5, fol. 19, b, 20, a.

" before his majeſtie, and Sir Robert Heath k^nt^, his " majeſtie's attorney generall;" the latter bearing the ſignatures of Crewe, Heath, and Eliot.*

He was aſked whether he had at any time held conference with anyone, and when, and with whom, upon the point of how far any kings have heretofore been compelled to give way to the will of their people? He replied that he never, with any, had held ſuch conference, either as to that or of anything touching the ſubject, or any circumſtantial thing tending to that end.

He was aſked whether he had held conference with any, and when, and with whom, touching the depriving of kings either of this realm or of any other kingdom; or whether he had ſeen, or been ſhowed, and by whom, any precedent of any former time in that kind, or tending to any ſuch purpoſe? He replied that he had never held conference to any ſuch purpoſe with anyone, nor had ever ſeen or been ſhowed any ſuch precedent otherwiſe than had occurred to him in the general reading of hiſtory; that he had never of purpoſe read any ſuch thing, nor had ever been ſhowed any precedent to any end tending to a diſcourſe on that ſubject; and that, whenſoever he had lighted upon any ſuch in his reading, he had deteſted it as being contrary both to human and divine laws.

He was aſked who delivered to him the precedent of the commiſſion in the time of Richard the Second which was gotten by conſtraint from that king? He anſwered that he had had notes of a commiſſion of that time, *but not gotten by conſtraint*, as he conſidered; he muſt have had them, as he thought, a dozen years at leaſt, and could not then call to mind of whom, or by what means he had them, or whether he had copied the original record in his ſearch for parliament buſineſs; but though he had not ſeen that commiſſion, nor any copy of it, certainly for theſe ten years, he had ſeen the book or treatiſe which paſſes from

* MS. S. P. O. Dom. Cor. xxvii. 17 and 18.

hand to hand under the name of Sir Walter Raleigh, by way of *A Dialogue between a Councillor and a Juſtice of Peace*,* and in that treatiſe there was ſome paſſage of the commiſſion, out of which, among other things, he had of late taken ſome notes for his memory upon the reading of it; otherwiſe, however, than by thoſe former notes, and theſe later notes taken in this manner, he had not had any occaſion to remember or be put in mind of that commiſſion, nor had had the precedent of the commiſſion from any perſon whatſoever otherwiſe than as he had before expreſſed: the certainty whereof he could not more preciſely ſet down, having had the firſt notes thereof ſo many years agone.

He was further and again aſked whether the ſame perſon who ſhowed him that commiſſion when he firſt ſaw it, or any other perſon, and who, did deliver him any precedent or treatiſe touching the depoſing of kings? He replied that no perſon, as before he ſtated, had ſhown him ſuch commiſſion; and that no perſon ever delivered to him, or ſhowed to him, or read to him, any ſuch precedent or treatiſe.

He was aſked what conference or ſpeech he had had with the deputies of Rochelle, or any of them, and when and whether he perſuaded or preſſed them to do anything which they refuſed or were unwilling to do, and what the ſame was? He replied that he had never had conference or ſpeech with the deputies of Rochelle; with any from them, or with any of them; nor did he know that he had ever ſeen the face of any of thoſe agents.

* The treatiſe is well known, and there ſeems reaſon to believe that Raleigh was really its author. A manuſcript copy of it, tranſcribed in 58 folios, is among the papers at Port Eliot, with paſſages marked by Sir John. During the excitements of 1628 it came forth as "printed at "Midelburge," with the title "*The Prerogative of Parliaments in England*: "proved in a Dialogue (pro et contra) betweene a Councellour of State, "and a Juſtice of Peace. Written by the worthy (much lacked and "lamented) Sir Walter Raleigh, knight, deceaſed. Dedicated to the "king's majeſtie, and to the houſes of parliament now aſſembled. "Preſerved to be now happily (in theſe diſtracted times) publiſhed."

He was aſked whether he were not in Gray's-inn on the Sunday, or near thereabouts, before he ſpake in parliament of the commiſſion before-mentioned; and with what company he then and there was, and what conference paſſed between them? He replied that he was not, nor had been in any part of Gray's-inn theſe ſeven years.

He was aſked what conference or correſpondence, by letters, meſſages, or otherwiſe, directly or indirectly, he had had with any foreign ambaſſador or agent? He replied that he had not had any conference or correſpondence, by letters, meſſages, or otherwiſe, directly or indirectly; and he was well aſſured that he had not written any letter to any foreign ambaſſador or agent whatſoever, nor had received any letter from any; and the laſt meſſage he had from any foreign ambaſſador or agent, was about three years agone, when he was a priſoner in the Marſhalſea about prize goods taken in the weſt, and Philip Barnardo came to him about it.

The object of the queſtions is manifeſt; and probably no one more than the honeſt chief juſtice rejoiced at the ſimplicity yet ſufficiency of anſwers which left everything preciſely where it was. Some hope there had evidently been to involve one of the Gray's-inn lawyers in complicity with Eliot; and ſome light is thrown upon the queſtion as to French ambaſſadors and agents by that declaration of Carleton's to the commons already quoted, upon his final and ſtrenuous oppoſition in the matter of the St. Peter of Newhaven, "doubting the ambaſſadors "of France had practiſed to incenſe this houſe to the "French's benefit and the loſs of the Engliſh."* But all other clues to the track on which the lord keeper had drawn the attorney-general in a queſt from which Eliot ſo quietly turned them all aſide, it would now be vain to

* I infer this from *Eliot's Notes*, N. 6, fol. 25, a; where the words are underlined, and an index hand is ſcratched in the margin more eſpecially to mark them out, doubtleſs by Eliot himſelf.

ſeek. Suffice it that nothing had been gained from him by this unprovoked and lawleſs invaſion of his liberty; not even an admiſſion of the inſufficiency of his precedent of Richard the Second, or of the alleged conſtraint practiſed on that king!

There was nothing for it, then, in preſence of the preſſure from the commons, but to ſign the warrant for Eliot's liberation. Without a diſſolution, Charles had no alternative; and it was important to him, before such violence was committed, as well that another effort ſhould be made for ſupply, as that time ſhould be given for ſome anſwer to the charges againſt Buckingham, now committed to the hands of Laud and Sir Nicholas Hyde. Not only had the commons reſolutely refuſed to proceed with anything until Eliot ſhould be releaſed, but they had already voted, and were now preparing, a remonſtrance againſt ſuch violation of their privilege. On the 18th of May the brave Bevil Grenvile (who died afterwards fighting for the king at Lanſdowne), writing to his "beſt "friend the lady Grace" of the chriſtening they were ſhortly to expect, told her of his "hope that Sir John "Eliot ſhall be there too if it be a boy, though the king "hath lately ſent him to the Tower for ſome wordes "ſpoken in parliament, but wee are all reſolv'd to have "him out againe, or will proceede in noe buſineſse." * That was the very day when Eliot was under queſtion in the Tower, and its reſult had ſufficed to break down the reſolution of the king and duke before his more indomitable reſolution. On the 20th of May Grenvile wrote: "We have Sir John Eliot at liberty againe! The houſe "was never quiett till the king releas'd him." On the 19th the order of releaſe had been ſigned.

On Saturday the 20th of May, when, amid congratulations that partook more of ſternneſs and ſolemnity than of gladneſs or joy, the commons were to ſee Eliot reappear among them, the vice chamberlain, by expreſs command

* MS. letter in my poſſeſſion.

of the king, was to make his laſt appearance there: his majeſty having already given direction for a patent of peerage promptly to remove him to a place more congenial with his foreign experiences. The ſcene that enſued was full of character and intereſt, and from the notes of Eliot himſelf it is now preſented much more vividly than heretofore.*

Upon the Speaker taking his chair, Mr. Glanvile ſaid he had it from Sir John Eliot, who waited outſide, to deſire their pleaſure whether he was to come and again ſit, having been accuſed of high crimes and extrajudicial to that houſe. To this there was an eager "yea" ſhouted from all ſides: whereupon he entered, and having taken his place, roſe directly afterwards, and requeſted to hear what was charged againſt him, that he might ſhow by his anſwer whether he were indeed worthy to ſit there. To this Sir Dudley Carleton replied. He was not there to charge him, but to give him occaſion to diſcharge himſelf. All the other ſeven members engaged in the late buſineſs had uſed reſpective terms to the duke, but the manner of Sir John Eliot's ſpeech had been "too tart and harſh" to his grace's perſon. It was not within his duty to have characteriſed the duke's mind by the "ſtrange beaſt" ſtellionatus. It was contrary to the mind of the houſe to have profeſſed ignorance of the return of the ſhips out of France. "They ſay they are come, but I know it "not." It was a great indignity to perſons of honour, and held baſe in all languages, to ſay "this man" and "that man" of ſuch a perſon as the duke. The hiſtorical compariſons to Sejanus and the Biſhop of Ely were alſo unwarrantable. And finally, which was the main offence, he cut off the words of the laſt article in the accuſation againſt the duke with an expreſſion from Cicero, as if ſomething were in the charge covered which might be *diſ*covered. In brief, that was what Sir Dudley Carleton, on behalf of his majeſty, had to ſay.

* *Eliot's Notes*, N. 6, fols. 29 a, b, and 30, a.

Eliot then ſpoke. Yeſterday morning, at half-paſt eleven, he firſt heard of the intention to releaſe him, and now he was firſt made acquainted with his offence. He thanked the vice chamberlain for his plain dealing, in at length affording him occaſion to clear himſelf. Was it now the pleaſure of the houſe that he ſhould anſwer generally, or, for their clearer ſatisfaction, make a particular anſwer upon each particular charge? The latter by all means, was the reply; to which end each charge ſucceſſively ſhould be repeated by Mr. Vice-chamberlain, and if anyone elſe had additions to make, let the occaſion now be taken. But no one ſave Sir Dudley ſpoke; and as he merely again went over, in ſeparate parts, his original accuſation, it will ſuffice to give Eliot's anſwers.

For the ſtellionatus, then. That as to the duke's honours and offices, he ſtyled them ambition; but as to his deceit and fraud, becauſe no word could reach it, he borrowed that of ſtellionatus from the civilians, who in the body of their law have a whole chapter for it. If Mr. Vice-chamberlain conſulted thoſe authorities, he would probably be able to ſatisfy himſelf that it was only ignorance made the ſtrangeneſs of that word.*

For his ſaying he knew it not, upon the return of the ſhips, he confeſſed that he had ſaid he did not know, though he heard, they were returned. It was indeed true he heard it in the houſe, but neither then knew it as true of any, nor yet knows it as true of the flat-bottom boats, and divers others of which the like was ſaid.

For the words "the man." He had not ſpoken on that occaſion by the book, but ſuddenly. He had frequently uſed the duke's titles, but ſometimes for brevity he might have ſhortened them. He was ſurpriſed to hear that called ſtrange which was uſed in all languages: *ipſe*,

* It is needleſs of courſe to ſay that the word is from *ſtellio*, a ſpotted lizard, the fraudulent man being comparable to that animal alone in verſatility and craft; and that the term *ſtellionate* in the Roman law comprehends all kinds of knavery not deſignated by any more ſpecial name.

ille, and the like, being given both to Alexander and Cæſar, "which were not leſs than he." And therefore he thought it not a diſhonour unto him ſo to be called a man, "whom yet he thinketh not to be a god."

For Sejanus and the Biſhop of Ely. He claimed the right to make ſuch parallels. In the ſenſe wherein the former had been miſapplied, he uſed it not. If ſo applied he could not hinder the conſtruction, but was not to be forced beyond his meaning. He made no parallel of times, or other perſons but the duke.

For the words of Cicero upon the potion and the plaiſter. "He relateth the words, and, as he thinketh, "the ſyllables, which he inſiſts upon and avows." Upon that he had no more to ſay.

For the manner of his ſpeech. And here, as of a matter affecting himſelf more excluſively, he ſpoke with a modeſt and manly frankneſs. It was, he ſaid, an old charge againſt him, that the manner of his ſpeech was with tóo much vigour and ſtrength. He would not attempt to juſtify his defects in nature; but he hoped they ſhould not be imputed as a crime. He yet on that occaſion did, and does in that houſe, deſire to avoid paſſion, being only affected to diſcharge his duty to the houſe with the beſt life he could. "Eſpecially "in this particular, becauſe the duke had inti-"mated to the lords that many of his followers were "diſheartened."

For the exceeding his commiſſion. Did anyone of the commons, from which he received it, ſay that he had done ſo? The negative upon the inſtant was ſo loud and general, that the few words with which he reſumed his ſeat, to the effect that when any particular ſhould be mentioned he would give anſwer to it, were ſcarcely audible. The next moment he had withdrawn, "the "houſe refuſing to order his withdrawal." And not a ſingle diſſentient ventured to declare himſelf againſt the vote which was immediately taken, to clear Eliot from

every imputation, and to declare that he had in no reſpect exceeded the commiſſion entruſted to him.*

So cloſed this affair on the king's part, as ignominiouſly ended as it was ill begun; a clumſy retreat from a poſition which there was neither the boldneſs to attempt to maintain, nor the good ſenſe handſomely to abandon. Even the people about the court could to ſome extent moralize the matter. They ſaw that the commons, apart from what they gained in it by Eliot's dauntleſs compoſure and ſarcaſtically quiet reaſſertion of everything he had been called to explain, had affirmed by its means that right in their own houſe to protect themſelves from every queſtioning but their own, which more than anything elſe united and ſtrengthened them in future parliaments; while the king had gained nothing by it, and had loſt the reputation of much. But beyond this the incident imparted no leſſon. They believed, according to Heylin, who expreſſes doubtleſs the mortification of Laud, that his majeſty had "power in his hands to have righted him-"ſelf according to the practiſe of queen Elizabeth and "others of his majeſty's royal predeceſſors in the times "foregoing," if he had been bold enough to follow their example inſtead of the example of his father.† On the

* One other characteriſtic mention the affair received, when, on Thurſday the 1ſt of June, Eliot himſelf made a motion in the houſe (*Journals*, i. 867) that Mr. Meautys, the member for Cambridge, and ſome others might be "appointed to ſee the opening of his papers, which at the time "of his arreſt were taken by Mr. Meautys, and had now been by him ſent "back under ſeal: *to ſee whether they be all there.*" Order was accordingly given that Mr. Meautys, Sir William Spencer, Sir Thomas Hobby, and Sir William Armyne, ſhould aſſemble for the purpoſe in Sir John Eliot's chamber at five o'clock that afternoon. What the reſult was is not ſaid, but it is very certain that all Eliot's papers had not found their way back to him; ſome that were ſeized at the time remaining now in the ſtate paper office, and copies or abſtracts of others having been quoted *ante*, (469-72). In fact one of the charges in the original draft of the remonſtrance at this time preparing, "Refuſal by Meautys of a note to be taken of Sir J. "Eliot's papers" (*Eliot's Notes*, N. 5, 22, a), ſhows that means had been taken to render it impoſſible with any exactneſs to ſee at their return "whether they be all there."

† Heylin's *Life of Laud*, 142-3. The commons "had now put them-

other hand, Eliot's notes have ſhown us that the precedents moſt vaunted from Elizabeth were not only now relied upon, but replied upon by men who had ſat in her parliaments; making no ſecret of her miſtakes, but ſhowing her prompt redreſs of them. That is what *her* example ſhould have taught a court which unhappily was incapable of learning anything. She underſtood, if ever a ruler did, the art in which the higheſt government conſiſts, of ſo conforming to the veracities and neceſſities around it, as to make itſelf really the expreſſion of the people governed, in their changing condition, in their new and impatient wants, in their increaſing intelligence. But Charles the Firſt had no one to tell him this, nor probably would have liſtened if there had been. The people around him could only ſee that he was not as brave as the great queen, and lament that he ſhould rather have taken example by his father. But it would have been well for him if he had done even this. He ſuffered for want of his father's cowardice quite as much as for want of Elizabeth's courage. His was one of thoſe natures, not uncommon, which having no real ſelf-reliance have yet a moſt intenſe ſelf-reference, and make up ever for yielding in ſome point by obſtinacy in ſome other; and it was his miſery always to reſiſt, as he yielded, too late. After giving up everything that had ſuſtained the prerogative while it had yet any work in the world to do, he believed in it to the laſt as the only thing that could help him; and he was not the leſs ready to ſeize Pym and Hampden in 1641 becauſe of his defeat and diſcomfiture in the attempt to ſeize Eliot in 1626.

"ſelves," continues Heylin, "upon this reſolution, not to ſuffer any one "of their members to be queſtioned till themſelves had conſidered of his "crimes. By which means they kept themſelves cloſe together, and "emboldened one another to ſtand it out againſt the king to the very laſt." On the other hand, ſays Peter with much truth, the gains and gettings of the king from the line he took, might have been "put in a ſeamſtreſs's "thimble and yet never fill it."

VIII. The Remonstrance and Dissolution.

The remaining incidents of the ſeſſion of what Whitelocke truly calls this "great, warm, ruffling parliament," were brief and ſtormy. The vice chamberlain took the ſudden refuge prepared for him in a more quiet place, and became Baron Carleton; "having not ſo much as a "place to be made lord of," ſaid Eliot when the matter was mentioned to the commons.* The commons, timely warned of "new counſels," and ſilently preparing their remonſtrance againſt all ſuch, held themſelves at bay; Sir Nicholas Hyde, in cloſe counſel with Laud, was haſtening to complete Buckingham's anſwer to the articles of impeachment; and the king, bent upon a diſſolution before the commons could either offer their remonſtrance or make rejoinder to the duke's anſwer, ſeems nevertheleſs to have clung to a hope that the ſubſidy bills might be got through. Buckingham knew better the determination on this point, and rumour even went of reproaches overheard in the palace. People ſaid that the duke being in private attendance at the audience chamber, the king was overheard to aſk him impatiently what could he do more? He had engaged his honour to his uncle of Denmark, and other princes; he had in a manner loſt the love of his ſubjects; and what would the duke have him do? † From which the goſſips who reported the ſcene, and had probably invented it, fancied ſome that the diſſolution of parliament, and others that the chancellorſhip of Cambridge, was in diſcuſſion between them.

Certain it is that on the chancellorſhip becoming now

* *Eliot's Notes*, N. 55, 21, b. This was at the diſcuſſion of the remonſtrance on the 3rd of June, when Eliot moved the inſertion in it of the ſubſtance of Carleton's ſpeech about "new counſels," and alſo thoſe paſſages about the duke's interference in the matter of ſupply at Weſtminſter, and his being "the cauſe of drawing us to Oxford and the "breach there," which are only now rendered intelligible to us by his own deſcriptions in his manuſcript memoir.

† Harl. MSS. May 1626. Letter of Mede to Stutevile.

ſuddenly vacant by Lord Suffolk's death, the fact was hardly known when it was ſeized as an occaſion for triumph over the commons and their impeachment; and Buckingham, under accuſation of grave charges in both houſes of parliament, was named actually by royal mandate to ſucceed to that honourable diſtinction. "Lord Suffolk died," wrote Rudyard to Netherſole, "on Sunday "morning, and on Monday Laud went to Cambridge to "ſolicit the chancellorſhip for the duke.*" But Cambridge has always had ſome voice for herſelf; and this monſtrous propoſal, though accepted by her heads, was reſiſted by her younger members of convocation, who haſtily put forward Lord Berkſhire, Suffolk's ſon, and ran Buckingham ſo hard, that, notwithſtanding royal influence uſed without ſcruple or ſhame, he was returned by a majority of only three. † With characteriſtic ſervility Williams afterwards claimed credit from the duke for having, even now while under cloud of his disfavour, ſent all his Cambridge chaplains to vote for him! ‡ The com-

* MS. S. P. O. Dom. Cor. 2nd June, 1606.

† In Ellis's *Original Letters*, iii. 231, we have a curious account of the conteſt. "We of the Body murmur, we run one to another to complain. "We ſay the Heads in this election have no more to do than any of "us. . . Hereupon on Tueſday morning, notwithſtanding every Head ſent "for his fellows to perſuade them for the duke, ſome durſt be ſo bold as to "viſitt for the contrary in publick. . . My lord biſhop labours; Mr. Maſon "viſits for his lord, Mr. Coſens for the moſt true patron of the clergy "and of ſcholars. Maſters belabour their fellows. Dr. Maw ſends for his, "one by one, to perſuade them; ſome twice over. . . . . Divers in town "got hacknies, and fled to avoid importunity. Very many, ſome whole "colleges, were gotten by their fearful maſters, the biſhop, and others, to "ſuſpend, who otherwiſe were reſolved againſt the duke, and kept away "with much indignation; and yet for all this ſtirre the duke carried it but "by three votes from my lord Andover" (Viſcount Andover had been created Earl of Berkſhire three months before) "whom we voluntarily ſet "up againſt him, without any motion on his behalf, yea without his "knowledge. . . . . We had but one doctor in the whole towne durſt "(for ſo I dare ſpeak) give with us againſt the duke; and that was Dr. "Porter of Queen's." Maw, one of the king's chaplains, was alſo at this time maſter of Trinity, and ſupplied the duke with 43 out of his 108 votes.

‡ MS. S. P. O. 3rd February, 1626-7. During the impeachment Williams made no ſign but this. "Well was it for Lincoln," exclaims Hacket (ii. 71), "that he had no hand in this fray; for, as the voyagers to

mons meanwhile had gravely addreſſed the king on the impropriety of the ſtep he had taken, deſiring him at leaſt to interpoſe ſuch delay as would allow a hearing to the impeachment; and upon his refuſal they voted as an inſult to the houſe the nomination as chancellor of Cambridge of a man under its impeachment. Eliot took active part in the proceedings of that day, and onward to the cloſe; nor is it unworthy of remark that the member who was only ſecond to him in actively preparing the remonſtrance, wherein that and all other incidents of the ſeſſion found bitter record, was the future lord keeper Littleton. *

The intention at firſt was to have paſſed each ſeparate clauſe of this formidable document as they might have paſſed a bill; which was the courſe really taken, fifteen years later, with the Grand Remonſtrance. But ſo much time neceſſarily paſſed in enlarging its ſcope and making addition to the ſubjects embraced in it, that there was only time at laſt to vote it as it ſtood; and the laſt words ſpoken in the diſcuſſion were thoſe of Sir Robert Manſel. "If there be any fear of danger to England," he ſaid, "the duke and his agents are the cauſe. This I will "make good."

So ſaid the old ſeaman; and ſo the commons had reſolved, by means of this remonſtrance, to ſay to the people of England. Their eagerneſs in purſuing and completing it, during the laſt days of the ſeſſion, was to avoid a repetition of the failure at Oxford which had then

"Greenland ſay, when the whale-fiſhing begins it is better to be on the "ſhore, and look on!"

* *Eliot's Notes*, N. 5, fol. 20, a, and 22, a. From theſe we learn that two days after Eliot's "explanations" in the houſe, Littleton preſented, with a view to its being "turned into a bill," a rough draft of the remonſtrance, which at this time was limited to a proteſt againſt the violation of their privilege, and an aſſertion of their rights in that particular. Gradually it aſſumed larger dimenſions, and became ultimately a ſtatement of public affairs ſince the acceſſion. All the grievances were imported into it; and again Littleton, on the 6th of June, reported them under ſucceſſive heads for approval, and took the order of the houſe for "a ſubcommittee to frame "the declaration upon all theſe."

prevented ſuch appeal. They had now publicly to confeſs that this parliament had failed like the laſt; that they were again hopeleſs of redreſs, for the preſent, by parliamentary ways; and that they muſt further intereſt and engage the people out of doors in the matters they had all at heart. Thus, therefore, under cover of remonſtrating with the king, they would tell the people all that had paſſed ſince the acceſſion; how the wiſh to ſupply his majeſty in his firſt parliament had been received; how the duke had ſown diſſenſion between them and the king, and ultimately procured their diſſolution; how, before the meeting of the ſecond parliament, ſeveral of their active members had been diſqualified from ſitting, and Mr. Glanvile, a lawyer depending on his practice, had been ſent as ſecretary to the Cadiz fleet; how upon again aſſembling in parliament, they had voted ample ſupplies conditional on an amendment of grievances; how all grievances had been traced by elaborate inquiries to one principal cauſe, which thereupon they had, in obedience to paſt conſtitutional uſage, made the ſubject of a parliamentary accuſation; what practices had ſince been attempted to baffle that deſign; how two of their members had been taken out of the very houſe and impriſoned, and their papers ſeized; how they had fared as to Richard Montagu, who had been rewarded with promotion for abetting innovations in religion; and how one of the king's miniſters had openly ſtated to them his majeſty's intention, in the event of not being ſupplied, to betake himſelf to new ways. The cloſe of this remarkable ſtate paper * was moſt impreſſively worded. His majeſty was warned againſt retaining the Duke of Buckingham in his counſels; and was further told that if anyone ſhould be found to do ſo ill an office to the crown as to adviſe the

* It will be found in *Ruſhworth*, i. 400–406; and in *Parl. Hiſt.* vii. 309–20. The king's counter-declaration is in *Ruſhworth*, i. 410, and in *Parl. Hiſt.* vii. 300–309. The ſubſequent proclamation by the king for the burning and ſuppreſſion of the commons' remonſtrance is in *Ruſhworth*, i. 411–12.

levying of aids, taxes, or ſubſidies among the people contrary to the ſettled laws, the commons of England, eſteeming all ſuch as vipers, peſts, and capital enemies to the commonwealth, there ſolemnly pledged themſelves to bring thoſe offenders to condign puniſhment.

Meanwhile, towards the middle of June, Buckingham's anſwers, the handywork of Laud and Hyde, and a ſervice for which the latter was ſoon to get the chief juſticeſhip, were handed to the lords by the duke himſelf; with brief appeal againſt the ſubtlety of the accuſation and the greatneſs of his accuſers. "Who accuſed me?" he ſaid. "Common fame. Who gave me up to your lordſhips? "The houſe of commons. The one is too ſubtle a "body, if a body; the other too great for me to conteſt "with. Yet I am confident neither the one nor the "other ſhall be found my enemy when my cauſe ſhall "come to be tried." The laſt was a ſhrewd condition, for he knew that no trial was contemplated. Nor would it be other than waſte of ſpace to advert to anſwers which were never meant to be brought to proof. The duke was made to deny much, but unconſciouſly to admit much more. The moſt grave charges he defended by pleading privity of the king. He left unanſwered, for ſecret reaſons of ſtate, the charge as to the loan of the ſhips. He admitted ſuch charges as that of having poſſeſſed himſelf by purchaſe and otherwiſe of many offices, defending them on the ground of public neceſſities. And finally he claimed, as to all the charges of earlieſt date, the benefit of the general pardon of James and of the coronation pardon of his ſon.

The commons at once, upon report of the duke's anſwers, called for the parliament roll containing the relation of the Spaniſh match, and announced that their rejoinder would be ſhortly forthcoming. That was on Saturday the 10th of June; and on the following Monday the king ſent to them for enactment of the ſubſidy bills without delay or condition, under threat of "other

"reſolutions." To this their anſwer, after a debate of extraordinary warmth and duration, was an order requiring all the managers of the impeachment to "bring "their parts into the houſe in writing," and further giving direction "to ſend for lord Digby to make proof."* By this they announced their reſolve, not only to preſs the charges they had themſelves made, but ſo to back up the charges of lord Briſtol as to reinforce againſt the duke the caſe of that formidable antagoniſt.

The only record remaining of that Monday's debate is a note incloſed in one of Mede's letters to Stutevile. The queſtion raiſed, it ſays, was only whether the bill of ſubſidies or the remonſtrance ſhould firſt be perfected; yet it declares the excitement to have been ſuch that above two hundred members had ſpoken, when, after the firſt ſitting of eight hours, "from eight in the morning "till paſt four afternoon," the houſe roſe to dine. "By the clamour of voices they ſay the queſtion could "not be well diſcerned; but upon dividing, the number "of thoſe that would have the remonſtrance firſt done "was far greater than of thoſe for the ſubſidies. At "ſix a clock againe they returned, and ſate till almoſt "nine." While the clamour and debate were yet at their height, a ſtorm more terrible had ariſen outſide. Such a fury of wind and rain and hail, of lightning and thunder, deſcended ſuddenly upon London, as no living man till then had witneſſed. In city churchyards the walls were rent away, tearing up the earth with them, and expoſing the dead. Over the Thames there appeared, riſing higher and higher, ſtrange circles and ſhapes of miſt, which took ſupernatural meanings to the vulgar.†

* *Journals*, i. 870.

† "This occaſioned the more diſcourſe among the vulgar," ſays *Ruſhworth* (i. 391) "in that Doctor Lamb appeared then upon Thames, to "whoſe art of conjuring they attributed that which had happened." Lamb was a notorious quack whom the duke was known to conſult, and who will make tragic reappearance ſhortly. Buckingham firſt went to him about his brother Purbeck's madneſs.

Nay, the very members of the houſe, as they hurried to the windows overlooking the river to view the ſpectacle, could not ſuppreſs ſuperſtitions of their own, as they ſaw "the fierceneſs of the ſtorm bend itſelf towards York-"houſe, the then habitation of the Duke of Buckingham, "beating againſt the ſtairs and wall thereof." But with no worſe miſchief the thunder for that time paſſed away; honourable members recovered their compoſure; and when the majority ſeparated at nine that ſummer night, they felt doubtleſs all the ſafer againſt future ſigns and ſtorms, in having been enabled finally to ſettle their remonſtrance. They had accompliſhed it juſt in time.

On the morning of Wedneſday the 14th they were conſcious of the imminent approach of a diſſolution, and paſſed that day in preparing for due preſentation to the king of their appeal to the people. There was one more debate. Should only a ſelect number preſent it, or ſhould the commons with the Speaker at their head? The latter courſe had the eager advocacy of Eliot; it was adopted; and a meſſage was ſent to the king craving audience and acceſs from the whole houſe "about ſerious buſineſs con-"cerning all the commons of the land." The king returned for anſwer that they ſhould hear from him next morning; but they did not ſeparate that afternoon until after arrangements for delivering to ſuch members as deſired it copies of the completed remonſtrance. They knew by this time that the upper houſe had made ſpecial interceſſion with the king for a ſhort delay. "Not a "minute" was the anſwer.

Next day they were ſummoned to the lords to hear, in the king's preſence, the commiſſion for their diſſolution read. The Speaker had his inſtructions notwithſtanding, and courage to give effect to them. Holding forth the remonſtrance as he approached the throne, he ſtated to the king its purport, and craved compliance with its humble petition "for the removal of that great perſon "the Duke of Buckingham from acceſs to your royal

"preſence." Without a word the diſſolution followed; and as the commiſſion was read members were ſeen reading copies of the remonſtrance.

In a few days it would be in the hands of the people. It would tell them why the king ſo rudely had again diſmiſſed their repreſentatives. They would learn from it all about the impeachment of the duke, the grave charges preferred againſt him, and how the enquiry demanded into their truth or falſehood had been quaſhed by an abrupt diſſolution. On the face of it there was an ill look; and uncontradicted it might have evil conſequence. Might it not be well, ſome one ſeems to have whiſpered to the king, to make a ſhow of *not* ſcreening the favourite, and of ſaving this diſſolution from the ſlander of having been a mere device to ſave him? The ſuggeſtion was caught at eagerly, and ſome remarkable unpubliſhed papers at Port Eliot reveal what followed.

On the morning of Saturday the 17th of June, the day but one after the diſſolution, Eliot, Digges, Hobby, Lake, Erle, Wandesforde, Herbert, Whitby, Sherland, Pym, Glanvile, and Selden,* the ſecret committee of twelve to whom had been referred the final preparation of the proofs to ſuſtain the ſeveral charges in the impeachment, received an urgent note from his majeſty's attorney general. Superſcribed to "his worthie frendes," the note thus ran. "GENTLEMEN, His ma^tie hath given me ſpeciall "commandm^t from his own mouth that I ſhould ſignifie "his pleaſure unto y^u that y^u ſhould not go out of "towne till y^u have firſt beene w^th me, and given me ſome "inſtructions in a buſineſſe concerninge his ſervice. And "that y^u may not miſconſter the demand, or conceave "it to be other than it is, I lett you know thus much,

* All the names are formally underwritten to Heath's letter, and I was at ſome loſs at firſt to underſtand why they had been ſo brought together, Sir Thomas Hobby and Sir Thomas Lake (the latter was member for Wells) having taken no part as managers or aſſiſtants. But the myſtery was explained when I found them to be the ſelect committee of twelve before referred to (512), and named in the *Journals*, i. 847.

" that I ſhall not detayne y^u^ long. And for your better " diſpatch I wiſhe y^u^ would agree to come all togeather " unto me to my chamber in the Inner Temple on Mun- " day morninge by ſeven a clocke; when I ſhall acquaint " y^u^ w^th^ his ma^tie's^ further pleaſure. Y^r^ verie lo. frende, " Ro. HEATH. 17 Junij. 1626." On the fly-leaf of which note by Mr. Attorney is the draft of another note in the handwriting of Eliot, dated on the day of the interview and deſcribing what paſſed. On leaving Heath's chambers the reſt had referred it to Eliot to word the deciſion which *he* doubtleſs had moſt earneſtly counſelled. " Whereas," he wrote, " this morning, " when we attended you upon a commandm^t^ from his " ma^tie^ ſignified by y^rſelf, you gave us intimation of a " purpoſe in his ma^tie^ to have a proceeding in the ſtar " chamber againſt the D. of Buckingham upon ſuch " matters as he ſtood latelie charged w^th^ in parliam^t^; and " to that end required to be inſtructed what proofes we " had to mayntayne the ſeverall charges p^e^ferred from the " comons to the lords againſt the ſaid duke; wee, accord- " ing to y^r^ adviſe, have conſidered thereof togeather, and " entreat you to take knowledg that whatſoever was done " by us in that buſineſs was done by the command of " the houſe of commons, and by their directions ſome " proofes were delivered to the lords w^th^ the charges; " but what other proofes the houſe would have uſed, " acording to the libertie reſerved to themſelves, either for " the mayntenance of their charge, or upon their replie, " we neither know, nor can undertake to informe [you.]"

Out of parliament we have no knowledge of the buſineſs we tranſacted there, and to any queſtions involving our conduct therein we have no anſwer to make to you. That in ſubſtance was Eliot's anſwer to the requirement of the king. It was the rule from which he never ſwerved, and for which, when the majority of thoſe who with him now ſigned this letter had deſerted it, he laid down his liberty and life.

The king refuſed to take the anſwer, and ordered Eliot, on the following day, to be ſpecially examined apart from the rest; but "Mr. Attorneye's queſtions and "Sir John Eliot's anſweare," alſo preſerved among the MSS. at Port Eliot, yielded no better ſatisfaction. He was preſſed cloſely on the point of witneſſes and his own belief in regard to proofs; but he gave only the one reply, diverſely ſhaped but in ſubſtance unvarying. "I "had therein no other intereſt or employment but as by "the generall command, and for the ſervice of the houſe "in the late diſſolved parliament." "I retained, but for "that ſervice, no other uſe or memorie." "I have ſome "general notions, but not ſuch particular knowledge as I "can conceave to be any way uſefull unto you." "My "firſt knowledge and intelligence hapninge in parlia-"ment, after diſcharge of mine owne particular duties to "the houſe *I remitted to that againe wholie the memorie,* "*and conſideration thereof.*"

Baffled thus completely in that which would have given ſome ſhow of authority to the artifice propoſed, Charles had no alternative but to order an information in the ſtar chamber to be ſupported by proofs of his own. To this ſham proceeding the duke put in a ſham anſwer; ſome witneſſes were put through a ſham examination as to the potion and plaiſter in the old king's illneſs: and then the thing dropped out of ſight.

Not ſo the impotent rage of Charles. Briſtol was ſent to the Tower; Arundel was placed under reſtraint in his own houſe; a counter-declaration was iſſued to the remonſtrance; the counter-declaration failing to find attention, the remonſtrance was ordered to be burnt; and the unhappy king proceeded to try the effect of thoſe "new "counſels" which he and his ſervants had ſo often threatened.

APPENDIX TO THIS VOLUME.

SUPPLEMENTARY NOTICE

OF

ELIOT'S MONARCHY OF MAN.

COMPOSED IN HIS LAST IMPRISONMENT.

IN an early page of my preſent volume*, mention has been made of this treatiſe; of its preſervation in the original manuſcript in the Britiſh Muſeum; and of Eliot's intention to have publiſhed it. In one of the cloſing ſections of my ſecond volume will be found a ſketch of his purpoſe in compoſing it, and of his probable reaſons for having yielded a conſent to its publication upon the ſuggeſtion of Hampden, Richard James, Thomas Hatcher, and other friends towhom it had been ſubmitted. Some acquaintance ſhould be made with this latter ſection, forming the fifth of the laſt book of the biography of Eliot, before the preſent notice is read. Therein will be found thoſe perſonal details from which the treatiſe derives its intereſt in connection with its author's life and laſt impriſonment, and that give additional meaning to many of the extracts now to be preſented to the reader. Here the only intention is to ſelect, within the ſpace to which they muſt neceſſarily be confined, and which can be better afforded to them in this place than at the cloſe of my work, ſuch paſſages as will expreſs the character and tone of the compoſition, exhibit the courſe of its argument, and ſufficiently ſhow in a general way the execution of its deſign.

* *Ante*, 31.

Since the early ſheets of this volume were printed, a further ſearch among the papers at Port Eliot has confirmed what was there inferred from portions of Eliot's correſpondence, as to the propoſed publication of the treatiſe. What was meant to have accompanied it, as a preface or dedication, I have diſcovered in the original draft. Why this was omitted in the completed tranſcript, does not appear; but it is too characteriſtic of Eliot's habit of independence, in this as in graver things, not to be well worthy of preſervation. Here therefore the opening, or dedicatory part, is given; and the reſt, which is in the nature of a preface or perſonal explanation, will fall into its proper place at the cloſe of the biography.

Eliot inſcribes his treatiſe To THE READER, and condemns the fulſome and abſurd dedications which had then become the cuſtom, as unworthy of letters and a degradation to thoſe profeſſing them. The extent of this evil was not ſeen till a later age; but when Eliot ſpeaks of it, even in that earlier time, as making impiety the patron to religion, proſtituting virtue to vice, and bequeathing art to ignorance, he ſhows that he had as keenly diſcerned, as he bravely denounces, the whole of its corrupting tendency.

"To THE READER,

"Bookes of theſe times, and the temples of the antients, through "imitation or by ffortune, doe often meet in one degree and paralell. "In thoſe works of pietie, or ſuperſtition rather, of the elders, the "ſtructures were magnificent, w^th^ all curioſitie and excellence that art "or nature could impoſe, raiſ'd even to the heigth of admiration: but "their dedications ſoe abſurd, their deities ſoe ridiculous, their worſhip "and adoration ſoe profane: monſters and men being their conſe-"crated gods; naie, monſters of men, and the worſt parts of them; "naie, Pluto and Dis, thoſe infernall lords of treaſures, divills and "feinds, w^ch^ had veneration like themſelves: that what was faire "w^thout^ was blacke and fowle w^thin^, all the bewtie of their fabricks "being loſt in the uglineſs and deformitie of the patrons. Soe is it oft "with bookes, whoſe compoſitions have all excellence, all that witt and "learning can expreſs: but their dedications ſoe prepoſterous, impietie "made patron to religion, virtue proſtitute to vice, art bequeathed to

" ignorance, protection being affected from the contrarie, that what " Plutarke ſpeakes of Brutus on the judgment and execution of his " ſonnes, may be truly ſaid of theſe — they cannot be praiſed nor diſ- " praiſ'd enough.

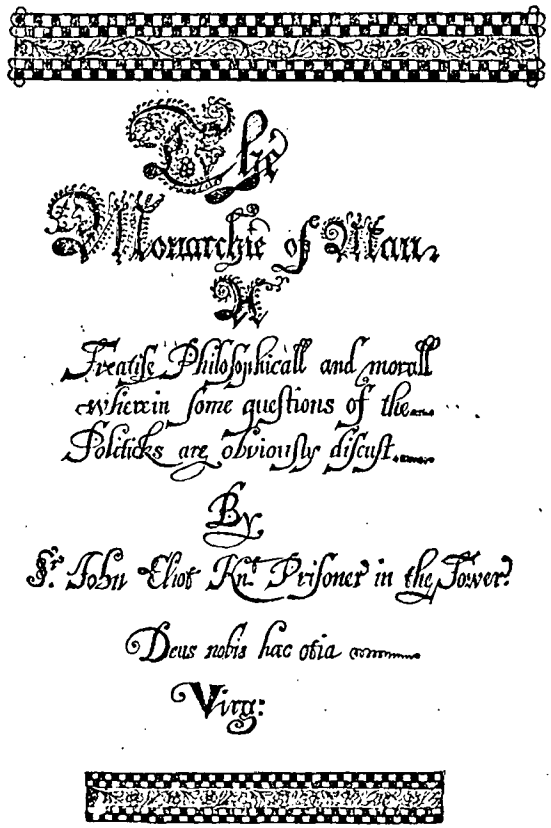
" I make not this a cenſure upon others, but an apologie for myſelfe " in the Not dedication of this treatiſe. To addreſs it to ſome deitie, " beſides the adulation it might favor of, were preſumption beyond " meaſure, it being noe fitt ſacrifice for ſuch greatneſs. To ſeeke pro- " tection from the contrarie, were a great ſollaciſme and madneſs, the " ſinne of witchcrafte and idolatrie. Patronage in generall, however " ſought or valued, in this kinde has ſmall profit and advantage. It " craves aſſiſtance and ſupport; and this implies weakneſs and defect, " w^ch^ is noe badge of honor, nor thereby ſtrengthened and ſupplied, but " renders that ſuſpected and in jeloſie, w^ch^, els, might be thought " candide in itſelf. I will not therefore ſeeke favor by my flatterie; " nor, w^th^ the vaile of favor, hope my errors ſhal be ſhadowed. I " will not ſoe farr prejudice the innocent, to conclude him guiltie that " is not yet accuſd. Errors are incident to all things that are not more " than humane, and what proceeds from me is moſt obnoxious by my " weakneſs; yet, what this Tract imports, let it be judgd by others. " It may not have condemnation at *my* hands, whoſe conſcience does " juſtify the intention, and that makes ſomething for the reputation of " the act.

" To THEE, READER, it appeales from all ſlander and detraction: to " the tribunall of thy judgment, from the corrupt barr of malice. Give " it an equall triall in thy juſtice; and if greatneſs doe oppoſe it, take " up that Roman caution* not to ſuffer it *adverſarii viribus abjiceri.* " What definition thou wilt give, it ſhall moſt readilie ſubmitt to; " having noe deſire to anie thing but what may be dulie ſaid it's owne; " nor ambition of more honor than is comprehended in thy favor; and " that, but in the juſt meaſure of thy equitie, and proportionable unto " right. . . . Let it ſupplie the ſtaye of thy waſte time when greater " thoughts have left it. Receave it as a friend, not as an enemye; and " if it faile the expectation w^ch^ thou haſt, pardon the weakneſs for the " affection. It has this perfect to thee, as its owne. All power is the " diſpenſation of another; and in that the maſter muſt anſwear, not the " workman, whoſe intereſt reſts meerlie in the will."†

From the tranſcript circulated among the writer's private friends, this dedication was excluded. Here we paſs at once to the treatiſe from its carefully conſtructed title-page.

* Eliot here notes in the margin: " *Cic. Orat.* p. 347; " *tant.* p. 505."

† MS. at Port Eliot.


The
Monarchie of Man.
A
Treatise Philosophicall and morall
wherein some questions of the
Politicks are obviously discust.
By
Sr. John Eliot Knt. Prisoner in the Tower.
Deus nobis hæc otia
Virg:

This reduced fac-simile of that first elaborately written page of Eliot's own manuscript, may transport us for a moment to the scene of his imprisonment, with its long and weary hours. We seem to see, as we look at the fanciful adornment of the letters, and the human faces peeping out from the flourishes, how the lingering time was whiled away upon this dearly cherished labour. The omission of the final word in the sentence from Virgil adds to its effect. Chivalrous and significant, it stands like an abridged motto on a shield. The original is of folio size, and the treatise occupies two hundred

and forty pages, full of abbreviations, very closely written, and very far from so legibly as the ornamented page before the reader!

Of the general scope and aim of the work, elsewhere described, it will be only necessary to remark here that it falls into the two divisions expressed in the title. "Some questions of the politicks are obviously discust," as a prelude to the analogy pursued between the civil and moral obligations which constitute Eliot's idea of his monarchy. And when, after laying down with elaborate learning and ingenuity the groundwork of his reasonings and comparisons, pursuing them in something of the manner which Sydney adopted in later time, through families, cities, and so on, he at last arrives at the rules and limits to be applied to the authority of princes, he thinks it necessary to say that he shall take only as they are emergent from his subject and arise naturally in discourse, the questions most in controversy touching the exercise of that power: not compelling, not courting, any that did not voluntarily come in and readily accost him; but yet not baulking, for any fear or difficulties, those that the occasion might present. "Only "this favor we petition, which candor will allow us for "our encouragement in the worke, that no prejudice "may impeach us in the censure of our reason *if it* "*tide contrary to these tymes*, if it oppose the streame and "current wee are in, superior or inferior."

In speaking at this point of acts and intentions he employs an illustration which already he had used in one of his letters to Bevil Grenvile.* He is arguing that acts may have divers inclinations and effects, from the accidental intercurrence of new causes contrary to their institution and design. That to an act of virtue there might

* See *post*, ii. 626. In another passage about the heliotrope, "that "beautie of the gardens," opening and shutting to the sun, he reproduces one of his allusions in a letter to Hampden. Many similar instances might be given, and will indeed hereafter easily occur to the reader.

be a concurrency of vice, through the corruption and infirmity of the object. That, as not ſeldom happened through the depravity of men, a charity might be interverted to ill uſes and ſo loſe the fruit of virtue. That the council of Achitophel might be folly though an effect of wiſdom. That equity might be converted to iniquity; juſtice into injury, or into cruelty of extremity; and that, in ſhort, no virtue was in operation ſo ſacred but circumſtances might corrupt it, and divers effects follow it, from new cauſes and intentions intervenient.

"Therefore, as the intention muſt be the indication of the act, the "end muſt ſhew the intention. For as a good act may be ill done in "reſpect of the intention, ſo the intention of what puritie ſoever may "be corrupted by the end. If our deſcent and end ſhall terminate in "the eaſt; if our horoſcope and aſcendant ſhal bee placed in the period "of the weſt; if we ſhall then, as Strabo ſaith, ſeeke the ſunne itſelf "riſing in the weſt,—we cannot conclude properly, or right. For the "end of the great workman muſt direct us, not the effect and operation "of the worke."

Government was in Eliot's view never to be regarded as "ſupreme," excepting for the welfare of the ſubject. If not expreſſly in the words, that was ever included in the ſenſe; as the object of all ſuch authority and power. And it followed likewiſe by inference and reaſon, if the uſe and intereſt were not ſevered. "For, as Cicero ſaies, "*res publica* is but *res populi*; and if the right and "intereſt be the people's, ſoe ſhould the benefitt and uſe." Repeatedly in his treatiſe Eliot breaks into admiration of the Roman orator, ſtateſman, and philoſopher. "Oh "the height of this gradation!" he exclaims, ſpeaking of the varieties and contrarieties in the world ſo beyond the underſtanding of weak man, yet ſo reconciled to order and agreement; "which none but Cicero could climbe!" And through an exalted eulogy he proceeds, conſidering the famous Roman in all his aſpects, "re-"ſorting from the perſon to the cauſe, from the client "to the advocate," till he knows not "whether his truth "or eloquence be more admirable."

The ſupreme power of the ſtate, Eliot reduced to two diviſions: the firſt concerning the exerciſe of that power as it is diſtributive (in the perſons of miniſters) to others than the prince, which he confines within a ſtrict obſervance of the laws; and the ſecond reflecting particularly upon princes, and the privilege and prerogative of their perſons, as to which, with a touching reference to himſelf and his impriſonment, he raiſes the queſtion whether the laws ſhould have operation thereon.

"And this with more difficultie is involved, as lying within that "miſterie, the prerogative of kings, which is a point ſo tender as it "will hardlie bear a mencion. We may not therefore handle it with "anie roughneſs, leaſt it reflect ſome new beame of terror on ourſelves; "but with what caution wee may, yet without prejudice to truth;— "that in what freelie we have undertaken wee maie faithfullie bee de- "livered, and ſafely render the opinion which wee have without "ſuſpect of flattery."

Such a ſuſpicion could not with any of his readers have outlived his next ſentence, when, with ſudden and indignant ſenſe that the claims ſet up for princes in that day were even too abſurd for argument, he exclaims that whether laws ſhould have influence on kings could never fall into doubt. It was in right and concluſive! The only queſtion could poſſibly be, within the laws, what bounds and circumſcriptions ſhould be given them, and in what compaſs and degree they ſhould be limited and confined. After eulogy of the law not inferior to that famous one by Pym in his ſpeech againſt Strafford, he puts the diſtinction between it and privilege.

"Two things occur in this—the lawe and the priviledge of each "country, in both which the ſubject has like intereſt. By the privi- "ledge the prince is free from all things but the lawe; by the lawe he "craves in all things to be regulated. By the priviledge he has a "propriety of conſent in the ſanction of all lawes; by the lawe he "has a certain rule and level by which to ſquare his actions. By the "priviledge all approved cuſtoms are received in the ſtrength and "vigour of the lawes; by the lawe no actual repetitions ſhall create a "cuſtom, without acceptation and allowance. The lawe is *rex omnium*, "as Pindarus ſays, the king and governour of all things; the other is

" *regi ſimilis*, ſomething like unto a king, as Bodin has it,—as abſolute, " though leſs known."

He continues, with bitter ſcorn of the ſlaviſh ſycophancy of his time:

" For theſe laws and priviledges (which we ſhall join together, " making but one joint ſubject of this queſtion), the diſcuſſion will be " eaſier if we turn our diſquiſition, and thus ſtate it. What power " the king has upon them? Wherein there is ſuch a confluence " of flattery, conducing to our prejudice; ſuch labour to make a " monarchie unlimitted, an abſoluteneſs of government without rule; " ſo much affection, or corruption rather, ſpecified; ſuch diſtortion " and perverſion of authorities to that end;—learning made proſtitute " to fallacy; religion turned to policie; heaven brought down to " earth; light transformed to darkneſs;—as to attempt againſt it, is, " now, to rowe againſt the tide! againſt the ſtreame and current of theſe " tymes to ſeek a paſſage unto truth!"

Not the leſs had the philoſophic patriot ſought and to his own ſatisfaction found it. Nor would he conteſt with the Neiles, Lauds, Montagus, Sibthorps, and Manwarings: he could only pity them!

" Some would inſinuate, from the dehortation of the Iſraelites, a " warrant and authority for the extention of that power. What then " was ſaid in terrour, they now make it a concluſion of the right! " Others inferr from the confeſſion made by David, 'Againſt thee only " 'have I ſinned,' that princes offend not men, and therefore have a " liberty upon them to do what acts they pleaſe. Which judgements " we ſhall rather pity than conteſt! The heathens, likewiſe, both " Greeks and Latins, have been ſearch't to have their atteſtations for " this ſenſe—but how truly we ſhall, in a few general inſtances, ſoon " ſhew!"

And then he brings up what Prynne called his ſquadrons of authorities. Pliny, and Valentinian, and Tacitus are ſummoned, to prove that at a time and ſtate when monarchy and empire had not their meaneſt exaltation, the laws were above the authority of princes, and had a maſtery over men who claimed of all elſe to be the maſters. Plato and Ariſtotle are called, to demonſtrate in principle that nothing but ruin could be the fortune of that kingdom where the prince ruled the laws, and not the laws the prince (Eliot ſhowing his

ſcholarſhip here by clearing up a diſputed paſſage in the laſt great writer, whom he calls the original and ſource of wiſdom, and whoſe text he held to have been frequently altered by "court paraſites" of his age); and appeal finally is made to Cicero to apply both his Greek maſters in practice, and adapt them to all times.

"What more fully or more plainly can be ſpoken? What greater "authority can be had, either for the perſons or the reaſons? The "Greeks, the moſt excellent of them, and from whom the contrary is "inſinuated (but how truly have we obſerved by the way), the Latins "likewiſe, and not the meaneſt of *their* kind, whoſe judgements no "poſterity can impeach, — we have really and actually on our ſide. "Princes and emperors conſenting! We may confirm it by the "examples of ſome others, if number be more valuable than weight; "yet not as ſhall leſſen the eſteem; for if no other were produced, "their worths might ſerve for a counterpoiſe to all oppoſites."

This was one of thoſe arguments, not infrequent in the treatiſe, wherein its writer painfully and laboriouſly defers to a prejudice of his age, and diſtruſts his own genius, even for guidance in the preſent, without ſupport and help from authorities of the paſt, which for that reaſon may be read with an almoſt touching intereſt. Hampden objected, as will be found hereafter, when this part of the work only was before him; comparing it to an exquiſite noſegay compoſed of curious flowers bound together with as fine a thread, but expecting in the other part honey from his friend, ſomewhat out of thoſe flowers digeſted, made his own, and giving a true taſte of his own ſweetneſs.* Eliot did not diſappoint him. It will be ſeen, when he dropped theſe fetters of political diſcuſſion, into what beauty and grandeur he aſcended; and how he maſtered and moulded to his purpoſe, and impregnated with an original intellectual power, his variouſly fine attainments.

It will not be out of place to interpoſe here the remark that Eliot is ſcrupulouſly exact in his method of quotation. Where the language of his authority is im-

* See *poſt*, ii. 611.

ported into his text, the book and chapter are carefully written down in the margin; and where the ſenſe only is given, a note generally ſupplies the correct quotation and its reference. He muſt at leaſt have had the companionſhip of many books in his priſon. And though the bulk of his extracts from Plato and Ariſtotle are given in Latin, this is evidently as much for convenience of himſelf as of his readers; for when he reſorts to the Greek character he writes it with too much neatneſs and labour to have permitted its conſtant uſe.

His next great ſquadron of ancient writers are brought up to ſhow, by examples of the princes* who have acknowledged the law's ſupremacy, that only by this means had they been able to exerciſe the higheſt power, finding in it their very majeſty itſelf, their honour and exaltation. "So much doth authority depend on "law, and ſo much is ſubmiſſion to the law greater "than authority." At the cloſe of the paſſage there is an alluſion which was probably inſerted after Hampden's criticiſm.

"And the reaſon follows it, that the law is the ground of authority, all "authority and rule a dependant of the law. The edict of Gratian was not "only an edict for that time, but for the generations of ſucceeding ages, "and for all poſterity to come. Rightly, therefore, and moſt worthily, ſtiled "an oracle. And in correſpondence to this, is the moderne practice of "theſe times. Almoſt in all the ſtates of Europe, princes at the "aſſumption of their crowns aſſume and take an oath for the mainte-"nance and obſervation of the laws. So, if we look either into "authority or example, the uſe and practice of all times from the "moderne to the ancient, the reaſon is ſtill cleare, without any diffi-"culty or ſcruple, *de jure*, in right, that princes are to be regulated by "the laws, that the law has an operation on the ſovereign. Yet "two things, we are told, do oppoſe, and are made arguments againſt "this:— the honor and the profit of the king, which are ſaid to have "ſome prejudice by this rule. Many pretenſions there are made, by "thoſe that are enemies to law, to inculcate this doctrine unto princes, "which in particular to convince were not a taſk of hardneſs, if the

* Among others, he dwells eſpecially on Antiochus, Theodoſius, and Gratian, giving the inſtances which will be found referred to on a later page in his ſpeech againſt Arminianiſm, *poſt*, ii. 414-5.

" danger exceeded not the trouble. But the infection of theſe times is " uncompatible of ſuch labours, when ſcarce the leaſt diſeaſe is curable. " We ſhall therefore follow them as wee did in the ſtrength and " aſſiſtance of authorities, which, in point of profit, do conclude that " there is no fruit or advantage in injuſtice. *Ubi turpitudo,* ſays " Cicero, *ibi utilitas eſſe non poteſt*—where ſhame and diſhoneſty in- " habit, there profit cannot ſojourne. And that diſhoneſtie he puts " for the violation of a dutie. Againe, *nihil utile quod non idem* " *honeſtum, et nunquam poteſt utilitas cum honeſtate contendere.*"

With the wiſer princes he finely contraſts thoſe who could not ſee that in effect it was they who themſelves embodied and repreſented the laws, and that to be ſubject to themſelves could be no diſhonour to them. No man could be ſaid to be inferior to himſelf; yet, to ſatisfy that "honorable punctilio," kings muſt become their own inferiors, and a loyal king be leſs than an illegal. But all power had root only in the wills of men. All empire and authority reſted in the obedience of the ſubject, and the true form of obedience was comprehended in the laws. For the other kind of obedience impoſed by fear and terror, it was falſe: falſe as the maxim that expreſſed it, *oderint dum metuant,* let them hate ſo that they fear. Thus were ſuch men driven from extremity to extremity; hated becauſe feared, and maintaining the fear becauſe hated. Purſuing this argument, and contraſting with thoſe conſequences of fear the allegiance of an affectionate people, Eliot has occaſion to refer to "Forteſcue, that learned chancellor of England," and to "Philip de Comines, that wiſe Frenchman." An alluſion may be added from a paſſage of great care and elaboration, wherein he illuſtrates the dangers incident to a prince by example of the pilot of a ſhip; as one of many recurrent inſtances drawn from the habits and purſuits of his earlier life.

"The leaks, are infidelity and treachery in miniſters; the rocks, " inequality and diſtemper in the gouernment; the ſands and ſynks, " are factions and diviſions; the winds and waves, the attempts and " invaſions of the enemie; the pyratts are the falſe and ſubtil under- " miners, that would robb and ſteale away all law, liberty, and religion."

The ſubject of parliaments occupies the cloſing ſentences of the firſt or political portion of the treatiſe; and reviving from his favourite author among the Latins the image of that Roman tyrant which at Buckingham's impeachment had ſtruck ſuch diſmay into Charles, he ſuggeſts another ſilent parallel to the princes of the old time who ſought to make parliaments the inſtruments of miſchief by depriving them of parliamentary authority; affecting a love for them only to employ them for ill purpoſes; and under the cover of their ſanction commencing projects which it was meant to carry on without them. There is not a more ſtriking or ſignificant paſſage in the treatiſe than this, in which he deſcribes Tiberius "ſquaring his profeſſion out to juſtice though "his actions ſpake the contrary;" and deceiving the conſuls and the ſenate by his declaration againſt that danger and difficulty of ſole government, *regendi cuncta onus*, which he had ſecretly reſolved to aſſume. Eliot cloſes his deſcription with ſome well-choſen paſſages out of Plato, and then dwells for a time on the nature of parliaments themſelves and the various forms they have aſſumed. The powers which were granted them among the Jews at their ſanhedrim, the ſeveral aſſemblies at Athens, in Ætolia, at Rome, in Carthage, and Sparta, are referred to. The evil deſigns of men who had poiſoned the ears of princes with a jealouſy of parliaments, are expoſed; and ſome of the doctrines of Machiavel are held up to ſcorn. There is here a large quotation of authorities, and much uſe made of arguments by Philip de Comines. Incidentally there is high mention of the genius of Salluſt, and enthuſiaſtic eulogy of Ariſtotle, "that *ſtupendum hominis*, that wonder and "miracle of reaſon!" And with ſome general arguments out of Bodin he winds up his parallel between a tyrant and a king, ſtriking heavily at thoſe unauthoriſed exactions of royalty of which men were taſting the full bitterneſs at the time when his treatiſe was written.

" This feeds on the affection of his ſubjects, the other on their fears. " This has his fears principally for them; the other has them for the " objects of his fears. This takes nothing from his ſubjects, but on " publick warrant and neceſſity; that drinks, carouzes in their blood, " and does fatt him with their marrow, to bring neceſſity upon them."

The grander purpoſe of the treatiſe now comes into view—the conſideration of the Monarchy of the Mind. It opens with ſome general reſemblances of the metaphyſical conditions of this government to the civil relations; carrying up the "councillors of the mind", to their final aim, "the good and perfection of all " empire, the *bonum publicum* of the politicks, the *ſummum bonum* of philoſophers, the *ne ultra* in felicity." But there is a difficulty on the threſhold. How ſhall the ſecret be opened? How ſhall that end of all labour, that ſcope and object of every hope, be attained, ſince even the wiſeſt men, the philoſophers of the old time, had not been able to agree as to what ſhould be held for the conſummation and perfection of happineſs? Their differences are figured by the fable of Menippus.

" He found nothing but confuſion upon earth, nothing but incer- " tainty with men. Doubt and ambiguity in ſome; diſſent and con- " tradiction among others; difference and diſagreement among all. " Then ſoe the philoſophers, at leaſt their ſects in controverſie, if not " the particulars of all kinds, yet the kinds of all particulars. The " Stoicks and Epicureans oppoſed. The Peripatetickes varying from " both. The Academickes differing from all. And theſe divided " between the old and new, the Eretrians, Megarians, and Cyrenians, " all in opinions ſeparate and diſtinguiſhed. Like Heterogenialls, rather, " and things contrary; not as profeſſors of one ſcience, maſters of " philoſophy, lovers of truth and wiſdom!"

Diſcovering nevertheleſs in all theſe differences certain uniform and conſtant elements of the truth, Eliot propoſes to examine and diſtinguiſh them; and in accordance with this deſign he plunges into the various ſchools of ancient ethics, deſcribing each and diſcuſſing its doctrine. Nor is merely well-verſed ſcholarſhip here diſplayed. There is a wide compaſs of thought, and thoſe uſes and applications of learning which genius makes its own. A

trail of light runs along the track of the old ſyſtems as we follow them over Eliot's page to the concluſion he ſeeks to eſtabliſh; that, in a greater or leſs degree in all, there are poſitions eſtabliſhed by which may be conſtructed, without other aid, his propoſed monarchy of the mind. And, the poſſibility thus aſſumed, he exults in reciting the virtues which, once it is built up, ſhall tend to its immortal ſuſtainment. But again he reſtrains himſelf. Before we triumph, we muſt ſubdue; and it may be neceſſary through ſorrow to advance to joy.

"We muſt do as Æneas did with Dido, through the ſad ſtorie of "tragedies and diſaſters make a tranſition unto love. As mariners in "rowing look contrarie to their courſes, ſo wee, in the ſearch of "happineſs and felicity, muſt have our eyes upon the ſubject of our "miſery. Thoſe we muſt firſt behold which are enemies of our ſtate, "and from them make a paſſage to our government. Wherein if, by "knowledge of the adverſaries, we can find meanes to conquer and "ſubdue them,—if, by the ſtrength and oppoſition of the virtues, we "can overcome and ſubjugate the affections,—then we may triumph in "our victorie, and in all ſecuritie and peace erect that trophy of felicity, "the *ſummum bonum* and cheife happineſs of man."

From this point accordingly, onward to the cloſe of the treatiſe, in a ſtyle which blends power with ſenſibility, and ſweetneſs with grandeur, in a degree not ſurpaſſed by our greateſt maſters of old Engliſh proſe, the impediments to man's happineſs are treated, and the way ſhown for eſcape from the "bondage and captivitie" that obſtructs ſelf-government. The firſt impediment is "Feare," and through all the chances that may occaſion it Eliot paſſes with firm and unfaltering ſtep. Deſcribing the "effects of power, ſudden and various; wherein im-"priſonment and death, and that in a thouſand forms, "are threatened; in which both ſickneſs and poverty "are involved;" but in none of theſe finding real cauſe of fear, he takes up "the next link of this chaine of our "unhappineſſe, another part of the fetters that we "beare," in that "inexplicable piece of vanity, our "Hope." This however he does not regard as an un-

mixed evil, and the occaſional exceptions are handled with a prodigious amount of learned alluſion.

"But not to be miſtaken for want of ſome diſtinction in this caſe, all "hopes are not like, nor all enemies of our government, though all "have one incertainty, by the trouble of expectation, and the dependance "upon time. All have this vanity and weakneſs, that their reſt is "upon others, not in themſelves, and in that reſpect they are obnoxious "unto fortune. Yet all have not a participation in the evil; all are "not ſharers in the guilt; ſome are natural, and have their principles "in nature."

Out of the unceaſing agitations in which Hope keeps a man; the fear to loſe, the jealouſy, the ſatiety, and all the incidents that fall to it; Sorrow comes next in view, and is marked as the worſt and leaſt excuſable of all the impediments named. For yet, ſays Eliot, fear has ſome reſource of ſafety, and hope ſome deſire of happineſs.

"Theſe have ſomewhat for juſtification and apology, at leaſt for "excuſe and extenuation of their evils. But ſorrow only is inferior to "them all. No argument can be made for her defenſe; ſhe can "pretend neither to happineſs nor ſafety, nor to what might be "ſubſervient to either. As the profeſſed enemie to both, her banners "are diſplayed. She fights againſt all ſafety, and bids defiance unto "happineſs. Her ends, her arts, are in conteſtation of them both. "Reaſon has nothing to alledge why ſorrow ſhould be uſed; it pro- "pounds no advantage in the end, no advantage in the act, but the "mere ſatisfaction of itſelf, the ſole expletion of that humour; there- "fore it is the moſt improper of all others, as incomparably the worſt, "and that likewiſe the effects and conſequence on the body will ſhow."

A ſubtle treatment of the ſelfiſhneſs of ſorrow ſucceeds to this. It is not called forth, Eliot ſays, by the misfortunes of our friends, for that feeling is pity; nor by the triumph of our enemies, for that is envy. "Sorrow "is ſelfiſhneſs." For the privation of whatever we hold dear, of whatever is in a tender eſtimation, nobler remedies are ſuggeſted by the impriſoned philoſopher.

"Sorrow is a perfect enemy, ſtanding in ſuch antipathy with hap- "pineſs that it is irreconcileable for our government. Therefore, "to this alſo we muſt oppoſe all the reſiſtance we have; for this moves

" moſt violently againſt us; and, if it get poſſeſſion of our hearts, if it " once enter on that fort, all our happineſs is gone; our monarchy is " ſubverted! For it deſtroys the end, the felicity we look for, and " then the means is uſeleſſe. It diſſolves it in the principle, and ſo " brings it to confuſion. For where ſorrow is, no felicity can be, and " a mind ſo affected can have no taſte of happineſs. To encounter it, " therefore, as phiſicians do diſeaſes, we will firſt meet it in the cauſe; " for, if that can be removed, the effect forthwith will follow it. The " object being gone, the affection muſt fall after it."

Let no man take upon himſelf, ſays Eliot, to regard things putting on the aſpects of ſorrow as therefore really ſorrowful. He argues out the principle of the great poet of nature that a providence ſhapes to higher ends the roughhewn accidents of life. And, take it that that ſeeming of ſorrow had really in it ſomething of danger or alarm, the more need exiſted to oppoſe it, to reſiſt it, and thereby to offer the example which to ordinary men would be invaluable.

" For, are not ſoldiers ſometimes heightened in their courage by the " valour of their fellows? Do not the valliant often receive new " fortitude and ſpirits by the acts of magnanimitie of others? Has not " admiration, has not emulation, this effect, to work the likeneſs of that " virtue which it has ſeen before it? to reduce to act the image of " that idea, which the apprehenſion has conceived, and, from the " excellence of the pattern, to draw an antitype thereof. Wherefore " were exhibited thoſe bloody ſpectacles at Rome—thoſe butcheries of " men—thoſe tragic repreſentations to the people—but to inure them " to blood, to harden them in dangers, to familiar them with death? " And ſhall not better acts, to better ends directed, have the like power " and operation? Shall not divinity, by the works of divine men " oppoſing their afflictions, have as great force in precedent and " example, as thoſe Romans had by that fighting with beaſts or con- " teſting one another, to harden and encourage the minds of the more " virtuous, againſt all difficulties, all dangers?"

But there is an argument of greater worth to the ſame end. From Plato's noble commentary on the inſcription of the Delphic oracle γνωθι σεαυτον, higher conſiderations are drawn.

" It is required of man, that he ſhould profit many. It is a common " duty of mankind, as far as ability may extend, ſtill to do good to all, " or, if not that, to ſome, as opportunity ſhall be granted him. Or, if

" he fail in that, yet to his neighbours, or at leaſt unto himſelf. But " here, here, in this act of paſſion and wreſtling with calamities, there " is advantage given for all. In this conteſtation of thoſe things " we call miſeries, there is a performance of all theſe, Firſt, to thyſelf, " thou profitteſt through the favor of the Gods, that give thee this " inſtruction, this education, this trial, this knowledge of thyſelf, this " confirmation of thy virtue. Then to thy neighbours, and all others, " thou art profitable by thy precedent and example. Thy fortitude " adds courage unto them, ſtout and valiant. How, then,—how, in " this excellence of duty, in this great duty of advantage, of advantage " to ourſelves, of advantage to our neighbours, of advantage unto all,— " we ſhould repine and ſorrow, as 'tis a prejudice to our happineſs it's " a wonder unto reaſon!"

Not even the laſt and beſt interceſſion that would ſeem to remain for ſorrow—of a friend at his friend's grave—will Eliot admit. But how beautiful in this paſſage is the eulogy of friendſhip! How the words ſeem to crowd too thick for utterance, as the writer manifeſtly thinks of what in his own needs a friend had been to him!*

" Let me firſt aſk this queſtion of the ſorrower. For whoſe ſake " that paſſion is aſſumed? For his that is ſo loſt, or for thine own that " loſt him? Anſwer to this, and make a juſtification for thyſelf. If " thou wilt ſay for his, where is the evil that he ſuffers? wherein lies " the reaſon of that grief? Deſign it out; give it ſome character to " expreſs it. Is it in that he is dead? in that he has made a tranſition " to the elders? That cannot be: for death contains no evil, as our " former proofs have manifeſted; but is a privilege of immortality, an " eternity of happineſs. Is it for that he is not? that he is not num- " bered with the living? That were to lament but becauſe he is not " miſerable. Thou canſt not but acknowledge the diſtraction of thy " fears, the anxiety of thy cares, the complexion of thy pleaſures, the " mixture of thy ſorrows! With all theſe, and upon all, no reſt, no " quiet, no tranquility, but a continual vexation of thy thoughts, a " ſervile agitation of thy mind from one paſſion to another! And wilt " thou grieve for him, that has his freedom, his immunity from theſe? " On the other ſide: is that ſorrow for thyſelf, that thou haſt loſt a " friend,—the ſweetneſs, the benefit of his friendſhip—thy comfort in " ſociety—the aſſiſtance of thy buſineſs—the ſublevation of thy cares— " the extenuation of thy griefs—the multiplication of thy joys—thy " caſtle—thy counſel—thy ſword—thy ſhield—thy ſtore—thy health— " thy eye—thy ear—thy taſte—thy touch—thy ſmell—the CATHOLICON

* See *poſt*, ii. 491, &c.

" of thy happineſs (for all theſe are attributes of friendſhip)?—Conſider, " firſt, whether friendſhip may not change, whether a breach and " enmity may not follow it, as not ſeldom happens in the moſt ſtrict " conjunctions, with which then no enmity may compare! Then " 't were better thus to have loſt it, that evil being prevented, and " the obligation, the virtue, kept intire! But, if that doubt prevails " not; if thou ſuppoſeſt a perpetuity in that friendſhip, an aſſurance of " that love; is it not envy in thee, and unworthineſs thereof, for thoſe " reſpects, thoſe temporary benefits to thyſelf, to grudge at his happi- " neſs and felicity which is infinite and celeſtial? Juſtice may reſolve " how far this is from friendſhip, how unworthy of that name! And " how capricious is ſorrow, ſubject to no government or rule. Mar- " cellus wept when he had taken Syracuſe; Alexander, to have no " more worlds to conquer."

Concluding with the phraſe of the ethicks, that to conquer, not thoſe appearances or ſhows of ill, but what might be counted real calamities, " not only makes a " man a conqueror and wiſe, but equal, nay ſuperior, to " the gods," Eliot eloquently baniſhes Sorrow from his government.

But in reſerve there is an enemy worſe than any he has named.

" And thus we ſee how theſe enemies doe threaten us. 'Fear does " anticipate, hope divert, ſorrow overturn, the happineſs we look for; " or, rather, they fight againſt the happineſs itſelf; fear ſecretly under- " mining, hope circumventing, ſorrow charging it at full. But, above " all, the moſt dangerous is behind,—PLEASURE!"

The cauſe of the peculiar danger that attends the indulgence of pleaſure is ſhown to conſiſt in the ſo falſe reſemblance it bears in itſelf to happineſs, that it is like to ſteal through all the "guards and watches" that we keep, into our ſafeſt "retreats and ſtrongholds." "Nothing," exclaims Eliot, amid much ſplendour of eloquence and reaſon, "nothing is ſo petulant and re- " fractorie, ſo exorbitant and irregular, as Pleaſure. No " rule, no law, no authority can contain her; but, like " Semiramis, admit her government for a day, ſhe " uſurps the rule for ever."

And here he pauſes in wonder and reverence at the Divine wiſdom, working to its ends through means ap-

parently ſo contrary; and exhibiting, even to the unaſſiſted reaſon, triumphant proof of wiſe and perfect deſign. It is a noble paſſage, though one of thoſe in which Eliot could not hope to carry with him the entire or unmiſgiving ſympathy of his puritan friends.

" But here an objection or wonder may be made, how, from one " fountain, ſuch different ſtreams ſhould flow; how, from the ſelf ſame " head, ſuch contraries ſhould derive themſelves; and that greater " wonder may ariſe, how the great Architect and Workman, who gave " being to all things in his divine wiſdom, did ſo create the mind by " the infuſion of ſuch principles, that the contrariety of their motions " ſhould threaten the deſtruction of his work! For faction and divi- " ſion imply this, and the diſſenſion of the parts hazards the confuſion " of the whole. It 's a great cauſe of wonder in the thing, that it is " ſo, but of far greater admiration in the reaſon. That he, thus wiſe, " thus willing, thus able to give perfection to his art, ſhould, in the " maſterpiece thereof, in his own portraiture and image, leave it with " imperfection! This is enough for wonder and admiration (if it were " ſo). But yet the next has more the inſcrutability of that reaſon,— " which turns theſe imperfections to perfections; which in theſe con- " trarities makes agreement; by theſe differences, theſe diviſions, theſe " diſſentions, works unity and concord! This is a cauſe of wonder " and admiration ſo tranſcendent, as human capacity cannot reach. O! " the incomprehenſible glory of the wiſdom by which ſuch ſecrets are " diſpoſed! We may ſee it almoſt in every thing, as the effect gives " illuſtration to the cauſe; and ſo in fact confirm, though we cannot " penetrate, the reaſon itſelf. All things, almoſt generally, will demon- " ſtrate it. If we look into the univerſality of the world, or the con- " currence of its parts, are there more contraries than in the common " materials they conſiſt of? Can there be more antipathy than the " elements ſuſtain? What greater enemies than fire and water can be " found? What more violent than their wars? And ſo with the " air and earth. Dryneſs and moiſture are oppoſed; than which no " things can be more different; yet amongſt theſe what a ſweet league " and amitie is contracted! What mutual love and correſpondency " they retain! Fire agrees with water, earth with air, the latter with " the former, each ſeverally with other, and ſo reſpectively with all! " and that which is the perfection of them all, the compoſition which " they make, the frame of thoſe materials, the body ſo compounded, has " its being and exiſtence by the very mixture and diagram of theſe! " Nay, by the want of either, their diſſolution is enforced. So neceſ- " ſary is the contrarity of the parts, and the oppoſition which they " make, that, without it, the whole cannot ſubſiſt. And thus as in the " generals, ſo in the particulars from thence. In the immenſe infinitie " of creatures, amongſt the dead or living, are their antipathies to be

"numbered? Can arithmetic define the contrarities they have? "Stone oppoſing ſtone, metal againſt metal, plant againſt plant; all "war! And animate beaſts contrary to beaſts, fowls againſt fowls, "fiſhes againſt fiſhes; in hate, in cruelty oppoſed, killing and devouring "each other; and yet all made ſerviceable to man! Amongſt men, "too, what conteſtations are there extant; what wars, what quarrels, "what diſſentions! Nation in antipathy with nation, kindred oppoſed "to kindred, family againſt family, man againſt man! And, beſides, "how infinite is their difference and variety in temper, in affection, in "condition; ſo that reconciliation ſeems impoſſible, and, without it, "their ſubſiſtence. Yet in the revolution of that wiſdom theſe things "are ſo turned, in the divine wheel of providence their converſions are "ſo made, that all move directly to one end! The alloy and conteſta-"tion of the parts work the conſervation of the whole."

From all which he would draw the ineſtimable leſſon that in the moral as in the natural world things ſeeming to be evil are to the finer viſion but forms of good; and that no man is to count himſelf really unhappy, under any of the accidents of mortal life, whoſe conſcience remains pure and his will undepraved. What, for example, provoked more fear than Poverty, and more cauſeleſs fear? This is a ſubject treated at great length, and with extraordinary fervour. "Are riches of "that virtue that their want ſhould ſeem ſo terrible? "How many have they ſold to miſery and unhappineſs! "What worlds of men have they corrupted and be-"trayed! Corrupted in manners and affections, betrayed "of their liberties and lives!" To which there follows a praiſe of poverty that might have ſatisfied Don Guzman himſelf. He tells the poor what they eſcape. He ſums up the diſeaſes of the rich, famous for excruciating pains; and contraſts with them "the privileges "of poverty, the immunities of want." He drags forth from antiquity a long liſt of illuſtrious poor; he ſpeaks of the lives of Fabricius, Curio, Menenius, Valerius, and Seneca; he holds them up as the beſt of all examples to comfort and teach their fellow men. "Who more "valiant than Miltiades? Who more wiſe than Cymon? "Who than Ariſtides was more juſt? Who more tempe-

" rate than Phocion? Yet all theſe the pooreſt as the " beſt of all their tymes!"

Sickneſs he treats of next, as no juſt cauſe for fear; and from ſickneſs, the ſilent and ſad ſuggeſtion of his own uncared for ſuffering, he advances, through what he calls the powerleſs effects of power, to impriſonment and death, ſtartling in their aſpect, but of no real worth to frighten or to ſubdue.

" To diſpel the feare of that which power and greatneſs may im-
" poſe, requires a harder labour, becauſe the dangers ſeem far greater,
" and are more various, and more ſudden. For—not to reflect on
" poverty and ſickneſs as incidents to this (which wounds and confiſ-
" cations do imply), thoſe too frequent and too known effects of power
" —but to look forward and to view it in the other iſſues, which it
" has; diſgrace, impriſonment, DEATH, and thoſe in all their uglineſs and
" deformity. This laſt is that tyrant which our apprehenſions do ſo
" fear; that *monſtrum horrendum informe*, which ſtrikes us with ſuch
" terror; this is that dire aſpect, at which our reſolutions do ſo fly;
" this is that traitor that makes ſuch ſedition in our government, and
" which we muſt the more carefully oppoſe for the vindication of our
" happineſs. In this place therefore we will deal only with it, and
" with the reſt hereafter."

Into what he ſays of Death, Eliot throws all his eloquence. " Death has its conſideration but in terror; " and what is aſſum'd from that, is, like the imaginations " of children in the darke, a mere fancie and opinion." With a melancholy fondneſs, the anticipation of approaching intimacy, he defends death as a friend might be defended. It had been ſlandered by thoſe who could not have known it—" moſt untruly, moſt unjuſtly, ſlan- " dered." What was common to all, and deſigned by the moſt merciful, could not be an evil.

" For either happineſs it contains, or it repels calamity, or gives
" ſatiety and wearineſs an end, or does prevent the hardneſs of old age!
" A concluſion 't is to all; to ſome their wiſh; but to none more
" meriting and deſerving than to whom it comes uncalled for! It
" frees from ſervitude, diſſolves the chains of captives, ſets all priſoners
" at liberty, and reſtores the baniſhed to their country. All their
" ſorrows and diſaſters have termination in this point. It has been
" called *humanis tempeſtatibus portus*, the harbour of human miſeries,

" the ſedation of our troubles. Implying thus the compariſon of our " life to a fluctuation on the ſeas, we as poor mariners ſailing in the " weak veſſels of our nature and fortune, the wind toſſing us by the " continual agitation of her tempeſts, trouble being inſtant and upon " us, danger moſt imminent and before us, hope fled, ſafety nowhere to " be found,—Death only is the haven to receive us, where there is " calmneſs and tranquility, where there is reſt from all theſe ſtorms " and tempeſts! In that port all fluctuations of our life are quieted " and compoſed; nor winds nor ſeas have power upon us there; for- " tune and time are excluded from that road; there we anchor in " ſecurity, without the diſtractions of new troubles; there without " danger or hazard do we ride."

Very beautifully is Life preſented afterwards by Eliot, in contraſt with its dark neighbour, as only " an inne to " reſt in, a lodging for the night, an hoſtelry in our " travels, in our continual journey to the manſion of " our fathers!" Nay, he ſays, life itſelf, taken at the beſt, is only made up of a variety of deaths; one paſſion periſhing, and another ſucceeding but to periſh. " So " that our whole life is but an exerciſe of dying; and all " the changes and viciſſitudes of nature, death—in a " meaſure and degree! Why then ſhould death be " thought ſo terrible? Where is the reaſon of that " feare?" Rather, he afterwards ſuggeſts, ſhould it be counted a matter of triumph and glory.

" What martyrs have there been even in the work of dying! More " joying, more rejoicing, than in all the acts of life! The glory of the " Deity, the incarnate majeſty of the Son, thoſe incomprehenſible miſ- " teries of divinity then appearing to them, by revelation to their " ſenſe, or by illumination of the fancy,—the heavens opening to give " free paſſage to their view,—theſe as it were deſcending unto them, " giving them the poſſeſſion here of that happineſs, that eternal happi- " neſs and felicity which is the chief object of all hopes,—not that " happineſs we treat of, the *ſummum bonum* of this life, the *bonum* " *publicum* of our monarchy, but the ſupernatural felicity to come, the " tranſcendant happineſs hereafter!"

Not, however, at theſe examples of the triumphant joys of martyrdom, ſuſtained by the preſence of the divine, will the impriſoned philoſopher reſt. There is a bravery coming nearer to his own, a grandeur of moral courage aſking for no miracle to ſupport or ſtrengthen it.

" I will reſort to patterns of morality. Then, to ſee the confidence " in them, the willingneſs and cheerfulneſs of dying,—take it from " thoſe Grecians, thoſe three hundred at Thermopolis, who, for their " country, oppoſed themſelves to all the power of Xerxes: to thoſe " many millions of the Perſians, whoſe thirſt ſcarce ſeas could ſatisfy, " nor whole regions for one day find proviſions for their hunger! Yet " unto theſe, thoſe Grecians could expoſe themſelves, ſo few againſt ſo " many, for the ſafety of their mother. The clouds of darts that fell " on them, they tearm'd an umbrell for the ſunne; their danger they " made glory; their death they thought their life; ſo far from terror " was it that they made it the ſubject of their hopes. O happy men! " thus for their country to have died! Moſt happy country, to have " brought forth ſuch men! whoſe death became the charter of her " life, and to them a patent of immortality!"

Kindling into yet greater fervour at the thoughts that crowd upon him of ſuch ſublime example, he peoples the ſolitude of his priſon with men of Rome, of Athens, and of Sparta—" fellows whom Death itſelf might fear, " ſooner than be fearful unto them. Myriads of men," he finely continues, " are chronicled for a free accep- " tance of that fate: women did ſcorn their children that " did not ſcorn to flie it!" And as he thus recalls the paſt, an example nobler than all the others riſes up, becauſe completer in the elements of moral grandeur, in the perfection of ſelf-controul, the monarchy of man. The philoſopher Canius, celebrated by Seneca, ſtands before him:

" Who died not as Cato, to avoide the dying by his enemies, nor " ſuddainly, to prevent the torment of the time, nor as thoſe Grecians " in the heat of blood and danger, when death does come unthought of,— " but giving it all leave of preparation, admitting all the circumſtance of " terror, in that form which his enemies had caſt it, to the extremitie of " their malice,—ſo he encounters, ſo he receives and meets it, even in " its very contemplation! His ſpeculations were upon it, it was the " ſubject of his thoughts, and in that he valued it more precious than " his life."

To this illuſtrious ſhadow of the paſt, Sir WALTER RALEIGH ſucceeds. His image had even yet ſcarcely vaniſhed from the dark walls that ſurrounded the writer, and his ſpirit remained in the magnanimity of Eliot's

ſoul. "Shall I not add, as parallel to this, a wonder "and example of our own; ſuch as if that old philoſo- "pher were yet living, without diſhonour he might "acknowledge as the equal of his virtue? Take it in "that—elſe unmatched—fortitude of our RALEIGH! "the magnanimity of his ſufferings, that large chronicle "of fortitude!" The reſt of the paſſage has before been quoted;* and it is an admirable ſpecimen of the manner of Eliot, when, diſencumbered of the authorities by which it was too often overlaid, it eſcapes grand and unfettered as his thoughts, of which Hampden truly ſaid that, aſcending a region above the clouds that ſhadow ordinary men, they were fit and able to pierce ſuch heights.

Still death lingers with Eliot, and he will not let the ſubject paſs from him. Aſſuming that ſuch inſtances of fearleſſneſs in dying were of too exalted a character for emulation by all men, ſeeing that all had not the ſame motives or means of ſuſtainment, he ſays, very beautifully: "There is no affection within man but has given "examples in this caſe. Hope, joy, love, ſorrow, pity, "fear itſelf, has conquered it, the weakeſt of all others! "The mere fear of death has forced men to act the "thing they fear." And after ſome ſubtle reaſoning to that point, he proceeds:

"Therefore, that truth ſo known, we may in a generality conclude "that death and fear are conquered both by love. Sorrow can do as "much. And we have it in the infirmeſt of her daughters, Pity, "which is the tendereſt of all thoughts, yet that ſubdues this fear, as "Tacitus notes it of the multitudes after the fall of Otho."

Yet even here Eliot cloſes not: ſtill he dwells and lingers on the praiſes and the privilege of Death.

"I ſhall then no more be ſicke; I ſhall then no more be bound; "I ſhall then leave off to fear; I ſhall then not dye again. If death "were an evil at the firſt, then it ſhall be no more. All the croſſes "and diſaſters, all the calamities and afflictions, all things that are "feareful or evil in this life, then ſhall I be free from! No death "ſhall thenceforth be an interruption to my happineſs, therefore why

* See *ante*, 34–5.

" ſhould I fear it? But if death have all theſe priviledges, why then " do we live? why do we not, as Cleombrotus, having read Plato's " diſcourſes of the immortality of the ſoul, precipitate ourſelves? " haſten to that excellence? preſs to that rich magazine of treaſures? " Why do we bear ſuch miſeries in life, there being ſuch felicity in " death? and the tranſition in our power, ſo facile and ſo ready? The " anſwer with the ethicks is emergent: *mors non debet eſſe fuga actionum,* " *ſed actio.* Death muſt not be a flight from action, but an action. " Subterfuge is the property of a coward; blows and wounds are the " honor of a ſoldier. Dangers muſt not affright, but harden him, " where the cauſe requires his hazard."

And ſo, with an increaſing warmth of eloquence, impreſſing yet once more the neceſſity of ſubduing fear, " though the ſun itſelf ſhould tremble, though the " immenſe fabrick of the world ſhould ſhake," he cloſes with urgent counſel that all men, in all caſes, ſhould

" Expect calmly that iſſue which time and virtue have appointed. " Thus we muſt look for death; not as an enemy, but a friend; which " in his own hours viſits us, expects no invitation, may not be com- " pelled, but has a free liberty before him. When he comes, he comes " attended by many priviledges, decked with flowers of happineſs, " reſt, and ſweetneſs, and exemption of all the evils of life. Therefore " there is not the leaſt cauſe to fear him, or to raiſe that jealouſy and " diſtraction in our government."

The matter next diſcuſſed is the duty of oppoſing the deſires. With delicate and wiſe diſcernment he reſumes his warning as to pleaſure in connection with mere indulgences of ſenſe; enlarges on its jealouſies and reſtleſs irreſolution; and depicts the cares, anxieties, and doubts, the thouſand troubles and diſtractions that men in hope and men in love are charged with. " Pardon me, Love, that ſoe hardly I have matched " thee! it is my reaſon, not my affection, that doth " ſpeake it." He ſhows the tragedies enacted by that paſſion, too many for theatre or amphitheatre to hold. He ſhows the inſufficiency of its ordinary motives; and, ſpeaking of the vanity of mere perſonal beauty, introduces thoſe touching references to Overbury and his writings, that " fortunate unfortunate piece of merit,"

which already there has been occaſion to quote.* He paſſes afterwards to riches, as another object of deſire; and preſents a fine companion picture to his deprecation of the evils of poverty.

"Riches, wealth, the deſire and paſſion to accumulate, theſe are all "deceitful in their nature. Whereas we think them ſomewhat, when "truth does ſpeake them nothing; deceitful in their qualities—being "flitting and uncertain, without any conſtancie or ſtabilitie, always "wing'd, and flying from one ſubject to another; deceitful in their "uſe—as we take them to be helpful to our happineſs, though working "the contrary by continuall anxieties and cares! Why ſhould we "then deſire them, being no way to be truſted, but in all conſiſting of "fallacie and frauds? Haſt thou worth or meritt that might challenge "them as due? That is a myſterie to them. They cannot diſcerne "it. The worthleſs and the worthy are equal in their ſenſe. They "are the maine occaſion of all differences, the *ager contentioſus*, as it "were, the field of quarrel and contention, as that antiently neare "Berwicke to the Engliſh and Scotch nations. If theſe be their pro-"prieties [properties], how can we then deſire them? If they be but "ſerviceable to theſe,—if they have no fellowſhip with honeſty, if "they diſſolve the powers of reaſon and of virtue, if they be diſtractive "and contentious, blind, mad, deceitful, and uncertain,—what is it "that ſhould make that attraction in our hearts, and diſturb our ſelf-"ſovereignty and command?"

Yet is there one mode, and only one, he ſays finely in leaving this ſubject, of converting the droſs of wealth into real gold; and that is by the alchemy of virtue. You may have riches, you may deſire them, if your purpoſe is to turn them to good. Make them, as the Latin poet had ſaid, the inſtruments of virtue; let them be ſervants to that miſtreſs. So you may live happily and well.

Honour in the mere worldly acceptation is next conſidered as an object of deſire, to be diſmiſſed with ſcorn. "Something ſtill may be ſaid for beautie and "for riches; but the honour and glory that the world "ſo names, have noe reality or ſubſtance, noe ſolidd "being or exiſtence, but are ſuppoſitious and imaginarie, "like thoſe eſſences of philoſophers, *quæ quaſi ſunt*, as

* See *ante*, 30–31; and *poſt*, lib. xii. § v.

" they ſay, which are but as if they were." Such honour is born of mere report or fame, and let its origin ſhow what it is. " In the mother, fame, take " the quality of the daughter, honour." And then he gives a ſtriking paraphraſe of the famous lines in Virgil's fourth book, " illam terra parens," &c. &c.

After this follows a very maſterly paſſage in which the claims of honour apart from mere report, but as little baſed on perſonal merit, are handled under cover of inquiry into the value of hereditary pretences to diſtinction.

" And now to ſee whether this 'honor' be confined within an order, " limitted to perſons and degrees, or left promiſcuouſly to all, as their " worths and qualities ſhall deſerve it? Wherein let reaſon be the " judge. Is it the reward of virtue or of fortune they would make it? " Let them anſwer who ſo magnify this pretence. Do they apply that " honor to their houſes or themſelves? Is it the diſtinction of their " families, or the guerdon of their merits? If they will take it for diſ- " tinction, 'tis but a name, and the pooreſt. The baſeſt have as much, " and ſmall cauſe there is to glory in that ſubject. If it be the diſ- " tinction of their families, the character of their houſes, though it once " implied a glory, what can it be to them more than treaſures are to " porters? But they will ſay, it is the glory of their anceſtors, the " acquiſition of their virtues, 'and from them it does deſcend here- " 'ditarily to us.' So may the porter ſay. That treaſure is his maſter's, " and by his will impoſed upon his ſhoulders: but to whoſe uſe, and " in whoſe right, has he received it? in his owne, or to his owne profit " and advantage? Maſters would take this ill, if their ſervants ſhould " uſurp it; and all men would condemn them both of falſehood " and ingratitude. So is it, in the other, an injury to their anceſtors, if " they pretend that honor to be theirs. They can but carry it to *their* " uſe, as a monument of *their* virtues that acquired it, not in their own " intereſt and right, to the glory of themſelves; nay, not without their " ſhame whoſe purchaſe cannot equal it, being but the ſole inheritors " of the fortune, not the worth. But if they waive their families, and " reduce it to themſelves,—between their virtues and their fortunes, " how will they divide it? If fortune do appropriate it, then the moſt " vicious, the moſt ignorant, the moſt diſhonorable, may be honorable; " ſlaves, and they, may be equal in this kind; for not ſeldom have they " taſted the liberality of fortune, and this honor none will envy them. " If virtue be the loadſtone that procures it, where is it? Let them " ſhew it in the effect, and then I hope they'll grant that all ſo qualified " may be honorable. All men that have the virtue may participate.

" Where, then, is the propriety they challenge? where is that peculiar " intereſt they claim? Certainly not in this. This honor will not " bear it, which is the crown of virtue! All perſons, all orders, all " degrees extant, may be capable thereof. They are without exception " or excluſion; and, for ſuch other honors as are fancied, let them " enjoy an immunity therein, I ſhall rather pity than malign them!"

He turns to that other truer honour. Reſuming and purſuing the ſuggeſtion of the great Roman poet, he contraſts the huge incapable energies of the Titans with the calm accompliſhing grandeur of the Gods, and ſays that in the eyes of the latter, and to the perceptions of philoſophy, fame is nothing, and its mere accidents of little worth.

" In one word, honor is no other than to follow goodneſs. To be a " ſervant unto virtue, is to be maſter of true honor; and without that " ſervice no honor can be had. Therefore the Romans, thoſe moſt " honorable above all men, in the temples which they dedicated, joined " thoſe of virtue and honor to each other, and to that of honor left no " entrance of acceſſion but through the gate of virtue; ſhewing by that " ſymbol where true honor reſts, and how it is attained, which is by " following virtue. But how is that? how is virtue to be followed? " in a fair and eaſy pace? will that conduce to honor? can honor be " ſo had?"

In the ſame ſpirit and tone the queſtions are anſwered; and, after ſtrong reiterated proteſt againſt the hereditary claim to appropriate honour " to any order or degree as " is pretended," for that " to be gotten and deſcended " even of princes is an accident," the ſubject is cloſed by alluſion to thoſe enemies of tyranny among the Romans, whoſe honour, becauſe it was true, outſhone the worſt envy of thoſe times. Eliot had a peculiar right to call to mind theſe men, for in his own nature he combined ſome of their nobleſt qualities, the fiery energy of Caſſius with Brutus's brave philoſophy.

" Tacitus notes it upon the funeral of Junia, where ſo many famous " images were exhibited, the glory of their families, that Brutus and " and Caſſius being omitted through the envy of thoſe times, they out- " ſhined the reſt becauſe their ſtatues were not ſeen. *'Eo ipſo quod* " *'effigies eorum non viſebantur prefulgebant,'* as he has it. They being " ſo concealed, their glory was the greater. Which ſhews that honor

" is moſt had, when it is leaſt affected. Why, then, ſhould this diſturb " us with ambition? why ſhould it make a faction in our government? " why ſhould it cauſe the diſtraction of our hopes? Ambition cannot " purchaſe it, the hope thereof is in vain; no art, no practice, can " acquire it, but by the rule of virtue. And ſo only as the virtue is " intended, let virtue be our aim. Leave that deſire of honor. Let it " not be a worke of our affections, for in that caſe we muſt fight with " honor as with enemies."

It will have been remarked with what cloſe reaſoning, with what unwavering ſteadineſs of moral purpoſe and deſign, the main object and argument of the treatiſe are ſuſtained. Eliot now examines his poſition.

" And thus we ſee from the ſeveral objects of deſire, how little cauſe " there is for that diſturbance and impulſion. Honor contains no reaſon, " being rather an enemie than friend to that affection, flying and not fol- " lowing it. Beauty has as little, conſiſting but of vanity. Riches much " leſs, that are but inſtruments of corruption. Alſo for fear, poverty, " death, ſickneſs, and the like, which have as ſmall warrant and " authority for that paſſion. Let us now ſearch what more there is in " Pleaſure, that counterfeit of happineſſe, and apply our laws to that. " For, being the moſt dangerous of our adverſaries, it muſt the more " cautiouſly be dealt with."

To that ſubject accordingly he reverts, with the view of impreſſing more ſtrongly in connection with all the reſt the duty of ſelf-reſtraint. A number of authorities are brought to bear upon it; and occaſion is taken to expreſs the moſt exalted admiration of Homer as the father of literature and philoſophy, greateſt in both, " a prophet and a poet." Eliot amuſes himſelf here alſo with notices of Lucian's comments upon the ſupreme Greek maſter; and from the reſiſtance of Ulyſſes to the Syrens he draws and depicts with extraordinary vividneſs the leſſon of a perfect ſelf-controul. That wiſe prince bound himſelf, he ſays, reſtricting his own liberty.

" But wherewith was that done? What were the obligations he in- " curred? How ſhall this come to us? Moſt properly and moſt " readily, if we will endeavour but that means, if we will uſe the " example of that worthy. The ſame ſafety is for us, which was then " wrought to him; and that, this great prophet has delivered with all

" ſincerity and fulneſs. You know he makes Vlyſſes then on ſhip " board. And that much experienced man, moſt curious of all know- " ledge, would needs add to that the muſick of the Syrens, the per- " ception of that excellence; though not truſting to himſelf for the " reſiſtance of their powers, in which both danger and deſtruction were " implied. To avoid this, he feigns to be faſtened to the maſt; " his men, meanwhile, do intend their labours, having their ſenſes " ſtopped (vulgar appetites being not capable of ſuch dainties). Now, " as this muſick was but pleaſure, thoſe Syrens the occaſion, ſo the " virtues were the cords that did reſtrain and bind him, reaſon the " maſt to which he was ſo faſtened, philoſophy the ſhip in which he " ſailed and went;—and in this ſhip, thus faſtened to that maſt, having " had both the occaſion and delight, he eſcap't the dangers threatned, " and in that preſerved the ſafety of his courſe. But what was that? " the ſame that is our government,—the way to happineſs and felicity! " —This was his Ithaca, this was that courſe intended, and with thoſe " helpes, notwithſtanding all the difficulties, this he accompliſhed and " performed! Now is not this a plain direction unto us? Is not our " remedy, our deliverance from this danger, aptly expreſſed in this " mirror and example? Our ſyrens are not more, their harmonies not " ſtronger; the ſame ſhip we have, with the ſame tackle; the ſame " ropes, the ſame maſt, continue ſtill. Cannot our courſe, then, be " the ſame? Is not the ſame ſafety yet before us? If we doubt that " tackle will not hold us againſt thoſe ſtrong enchantments, let us ſtop " our ſenſes, as Vlyſſes did with his men, and firſt avoid the occaſions. " Nothing is lov'd, not known. Let us, then, ſtint our curioſity herein, " and the deſire will leave us. But how is that? how ſhall that work " be done? Is it to ſhun all pleaſure, all occaſions? That cannot be, " nor is it requiſite to this. For virtue in the concrete is not abſolute, " nor to be ſo expected in our monarchy."

The true touch of wiſdom is in all this; and the deep and ſubtle ſpirit with which the whole expoſition is conceived has further vent in a remarkable cloſing alluſion to the ſole condition that could ever render ſafe the harbouring of pleaſure. Moderation and ſobriety of indulgence are compatible with ſelf-reſtraint.

" We daily ſee it in experience, that thoſe who have leaſt affections " are moſt violent (leaſt, I mean, extenſively, in reſpect of number and " the object); their paſſions being impetuous as contracted to that nar- " rowneſs, and maſterleſs in that. As Tacitus notes it in Tiberius, " who, being moſt reſerved and hidden unto all men, to Sejanus yet " was open and incautious. So it is likewiſe unto others. The heart, " being ſtraightened by ſome objects, growes more violent in thoſe " paſſions; the affection does inlarge, as the ſcope thereof is leſſened.

" Therefore we thus expoſe that precept of diviſion: that pleaſures " may be a remiſſion to the mind, not an intention—that we may taſte, " not ſwallow them—that the appetition may be obtemperate to reaſon, " wherein only true pleaſures doe conſiſt."

The obſtructing paſſions, the impediments to man's monarchy, thus diſpoſed of, the philoſopher turns to the elevation of the monarchy itſelf; and dilates upon the virtues by whoſe exerciſe and operation, condenſed into two great purpoſes, the ſtructure is to be raiſed.

" Our next care muſt be how to obtain the virtue, how to poſſeſs " the means, which muſt procure that end. And if that can be " acquired, then is our felicity complete, then we have that perfection " of our government, the *ſummum bonum* in philoſophy, the *bonum* " *publicum* in our policy, the true end and object of the monarchy of " man. Two parts it has—action and contemplation. Of which the " firſt divides itſelf into two branches like the virtue, *agendo* and *dicendo*, " doing and ſaying, both which concur to action. By doing, is intended " thoſe travailes and motions of the body that are neceſſary in the per- " formance of thoſe works which the duty and office of our callings " require;—by ſaying, is meant the expreſſion of the tongue, whereby " the intelligence of the heart is made communicable to others, and the " thoughts are conveyed to the underſtanding of the hearers. In theſe " two all action does conſiſt, and ſo that part of the virtue and per- " fection. Both theſe have one rule of level and direction, which we " did touch before, as the common duty of mankind. In that duty their " office is implied, which is that it be profitable to many. To the " general good and benefit it muſt be extended; firſt to all, then, after, " to ourſelves."

A ſtriking and valuable reminder is at this point interpoſed.

" For all right of office is deſtroyed by the inverſion of this order. " To reflect firſt upon ourſelves, our own particular intereſts, and then " upon the general, is the contrary of duty, the breach of office and " relation. Therefore to the publick, both our words and actions muſt " firſt move; without reſpect, without retraction, for our private. They " muſt firſt intend the common good and benefit, and ſo deſcend by " degrees unto ourſelves. For as members are in bodies for the per- " fection of the man, ſo men in bodies politicke, as parts of theſe " ſocieties, and for the conſervation of the whole; and to that end their " chief endeavour muſt incline."

With a noble fervour Eliot reſumes. And in the few following lines we may read the governing principle

of his own life, the practice and moral of his own career, the ſacrifices and ſelf-denial he had offered in his own perſon before the altar of duty.

"Here ſome queſtions will ariſe;—how far this ſhall engage us? "what latitude it imports? what cautions and exceptions it admits? "Difficulties may occur, and thoſe involve us in anxieties, with troubles "and perplexities diſturbing our tranquilities, diſtracting the quietneſs "we are in. And ſhall we forſake that ſweetneſs? ſhall we neglect "that fatneſs of our peace (as the fig and olive ſaid of old) for the "publick uſe and ſervice? for the profit and commodity of others? "YES! no difficulties may retard us, no troubles may divert us, no ex- "ception is admitted to this rule! but where the greater good is extant, "the duty and office there is abſolute, without caution, or reſpect. "That greater good appearing, nothing may diſſwade us from the "work—no reſpect of eaſe, no reſpect of pleaſure, no reſpect of the "troubles we may meet,—but in performance of that duty, in accom- "pliſhment of that office, our troubles muſt ſeem pleaſant, our labours "muſt ſeem facile, all things eaſy, all things ſweet therein;—for the "rule is, *Officium non fructum ſequi*, to obſerve the duty, not the benefit, "to ſeek that end which is propounded in the general, not to propound "an end and reaſon of our own. But dangers may be incident? it "may betray our ſafeties, and expoſe our fortunes, expoſe our liberties, "expoſe our lives, to hazard?—And ſhall we, then, adventure upon "theſe? ſhall we forſake our ſafeties? ſhall we incur thoſe dangers, for "foreign intereſts and reſpects, for that which concerns but others, "which is foreign unto us? YES,—this likewiſe we are bound to, our "obligation lies in this. No danger, no hazard, may deter us. The "duty and office ſtand intire."

In Eliot's diviſion of the virtues neceſſary to the ſtructure of his propoſed monarchy will be recogniſed the old principle of the ancients diſtinguiſhing the characteriſtics of wiſdom, and ſeparating the end of things to be done from the ways conducing thereto. Very beautiful is the paſſage that follows in praiſe and exaltation of philoſophy.

"But how may *this* wiſdom, then, be had? where may we ſeek and "find it? The anſwer is moſt obvious,—in the doctrines of philo- "ſophy. For philoſophy is the introduction to this wiſdom; ſo both "the word and reaſon do import: for by the word is ſignified onlie a "love of wiſdom, a love of that wiſdom which we ſpeak of; and that "love will be accompanied with an endeavour to attain it, which is "intended in the common ſenſe and notion. For that ſcience of philo-

" sophy is but a gueſt of wiſdom, the ſtudy of that excellence. And " ſo Plato gives it in his gradations unto happineſs. Philoſophy is the " firſt ſtep he makes, as the deſire of wiſdom;—to which he adds the " ſtudy, and contemplation to attain it. From that ſtudy and ſpecu- " lation he ariſes unto wiſdom, from that wiſdom unto happineſſe. So " that philoſophy is the principle. Wiſdom does there begin, which " has its end in happineſſe; and happineſſe in this order is the pro- " duction of philoſophy. In ſumme, all contemplation is but this, but " this ſtudy of philoſophy. If it aſcend the heavens to veiwe the glory " of that beauty, philoſophy does direct it. If it deſcend to meaſure " the center of the earth, philoſophy goes with it. If it examine " nature and her ſecrets, philoſophy muſt aſſiſt it. If it reflect on " cauſes or effects, that turn is by philoſophy. The contemplation of " all ends, all beginnings, all ſucceſſes, is propounded by philoſophy. " So as philoſophy, in contemplation, is as prudence in the virtues, " the architect and chief workman, that gives motion and direction to " the reſt. Great is the excellence of philoſophy, as it is chief in " contemplation, and the accompliſhment of that virtue. Greater " much it is, as it is a principle to wiſdom, and an inſtructor of the " counſell. But beyond all compariſon it is greateſt, as it is the firſt " degree to happineſſe, as it leades in to that perfection of our govern- " ment! No words can ſufficiently expreſſe it, nor render a true figure " of that worth. Being in contemplation, contemplation only muſt " conceive it."

The queſtion next ariſes, which of theſe great diviſions is to be regarded as the higheſt and moſt perfect? As an exerciſe of the faculties, in pure and ſingle grandeur, Eliot at once pronounces in favour of philoſophy, of contemplation: but is careful at the ſame time to modify this by pronouncing no wiſdom complete without the active practices of virtue. Speaking on the firſt head he urges the ſuperior greatneſs of the contemplative philoſopher; in regard that his thoughts are fixed on the final intelligence.

" And he that levels at that mark, though he come ſhort, yet ſhoots " higher than he that aims but at man. Beſides, there is this advantage " in it: that nothing can be *contracted* from the preſident to prejudice " or corrupt it, which lower examples may induce; but much per- " fection may be *added*, by the elevation of the mind: as chemicks " in the diſquiſition of the elixar, though the wonder be not found, " yet have extracted great varieties by that labour, excellent demon- " ſtrations by that work. It is the way in part to reſume the image " wee have loſt, for that was not an outward figure, but a reſemblance

" in virtue. If that ſimilitude was laid in virtue, it cannot ſo aptly be " repaired as by the imitation of the Deity, in whom the exactneſs of " all virtue does remain. This help philoſophy does give us in the " ſpeculation of eternity;—and likewiſe it derives to our preſent view " and proſpect the knowledge of all antiquity, in what *their* happineſs " conſiſted, what were the ingredients of that compound, and how it " was loſt at firſt, whence the judgment may reſolve what is true " happineſſe to us."

On the ſecond head, however, he immediately ſubjoins:

" But if ſo,—if philoſophy and contemplation have this fruit, that " theſe degrees of happineſſe be in them, and ſo direct a way to happi- " neſſe itſelf,—how is it that we involve us in ſuch toils, ſuch anxieties " and perplexities, to acquire it? It is a vanity and folly, by ſuch hard " labour to effect, when a leſs trouble, a leſs travail, comes ſo near. If " philoſophy and contemplation can procure it,—*thoſe ſweet and gentle* " *motions of the ſoul*,—what need the co-operations of the body, thoſe " actions and thoſe paſſions which virtue does require, and which ſo " often force diſtraction, nay, deſtruction upon men? Yet they are " needful; for without virtue, true happineſſe cannot be, and theſe " compoſe the other half of virtue. For contemplation and action " make the whole. Virtue conſiſts only in both, and in part there is " no perfection. Therefore to contemplation, action alſo muſt be " joined, to make a compleat virtue; and by that virtue alone true hap- " pineſſe may be had."

And, deſiring not to be miſunderſtood in what before he had ſaid of the ſupreme claims of the contemplative virtues, he adds, with intimation that he will diſcuſs the matter more fully in a future treatiſe (a deſign interrupted by death), that contemplation muſt ſtill be conſidered as the chief.

" For contemplation is the beginning of all action, the principle of " that motion: action but a derivative of that, and no derivation can " be equal to the primative, no ſecond comparable with the firſt. All " actions are but the emanation of the will, and the will receives her " inſtance from the apprehenſion of the mind. But ſtill both muſt be " concurrent. Virtue is a compoſition of them both. Contemplation " muſt prepare the matter of our happineſſe, action diſpoſe and " order it."

The great purpoſe accompliſhed, the ſtructure raiſed on thoſe foundations, Eliot cloſes his labour with an

exalted eulogy on the independence and ſuperiority of the mind of man. I preſent it entire. It is worthy to have cloſed a work of ſo much nobility in the conception, and marked by a variety and beauty of detail that might have given to the memory of our loftieſt writers in proſe freſh fame and luſtre.

" This makes up that perfection of our monarchy—that happineſſe of " the mind, which, being founded upon theſe grounds, built upon theſe " foundations, no power or greatneſs can impeach. Such is the ſtate " and majeſtie, that nothing can approache it, but by the admiſſion of " theſe ſervants; ſuch is the ſaftie and ſecuritie, that nothing can violate " or touch it, but by theſe inſtruments and organes; ſuch is the power " and dignitie, that all things muſt obey it. All things are ſubject to " the Minde, which, in this temper, is the commander of them all. Noe " reſiſtance is againſt it. It breaks through the orbes and immenſe " circles of the heavens, and penetrates even to the center of the " earth! It opens the fountains of Antiquitie, and runs down the " ſtreame of time, below the period of all ſeaſons! It dives into the " dark counſells of eternitie, and the abſtruſe ſecrets of nature it un- " locks! All places, and all occaſions, are alike obvious to it! It does " obſerve thoſe ſubtil paſſages in the air, and the unknown pathes, and " traces, in the deeps! There is that power of operation in the " minde, that quickneſs and velocity of motion,—that in an inſtant it " does paſſe from extremitie to extremitie, from the loweſt to the " higheſt, from the extreame point ot'h weſt to the horoſcope and aſ- " cendant in the eaſt. It meaſures in one thought the whole circum- " ference of heaven, and by the ſame line it takes the geographie of the " earth. The ſeas, the air, the fire, all things of either, are within the " comprehenſion of the minde. It has an influence on them all, whence " it takes all that maie be uſefull, and that may be helpfull in its govern- " ment. Noe limitation is preſcribed it, noe reſtriction is upon it, but " in a free ſcope it has liberty upon all. And in this liberty is the " excellence of the minde; in this power and compoſition of the minde, " is the perfection of a man; in that perfection is the happineſs wee " look for,—when in all ſovereignty it reigns, comanding, not com- " manded; when at home, the ſubjects are ſubject and obedient, not " refractorie and factious; when abroad, they are as ſervants, ſervice- " able and in readineſs, without heſitation or reluctance; when to the " reſolutions of the counſell, to the digeſts of the laws, the actions and " affections are inclined,—this is that *ſummum bonum* and cheife good " which in this ſtate and condition is obtain'd! The minde for this has " that tranſcendence given it, that man, though otherwiſe the weakeſt, " might be the ſtrongeſt and moſt excellent of all creatures. In that " onlie is the excellence we have, and thereby are we made ſuperior to

" the reſt. For in the habits of the body, in all the faculties thereof, " man is not comparable to others, in ſenſe and motion far inferior to " many. The antients ſuppoſe it the indiſcretion of Epimetheus, " having the firſt diſtribution of the qualities, to leave us ſo defective, " when to the reſt he gave an excellence in their kindes. As ſwiftneſs " and agilitie to ſome, ſtrength and fortitude to others; and whom he " found weakeſt, theſe he made moſt nimble, as in the fowls and others " it is ſeen; and whom he found moſt ſlow, to theſe he gave moſt " ſtrength, as bulls and elephants do expreſſe it; and ſo all others in " their kindes have ſome ſingularitie and excellence, wherein there is a " compenſation for all wants; ſome being armed offenſively and defen- " ſive, and in that having a proviſional ſecurity. But Man only he left " naked, more unfurniſhed than the reſt: in him there was neither " ſtrength nor agility, to preſerve him from the danger of his enemies; " multitudes exceeding him in either, many in both: to whom he ſtood " obnoxious and expoſed, having no reſiſtance, no avoidance for their " furies! But in this caſe and neceſſity, to relieve him, upon this over- " ſight and improvidence of Epimetheus, Prometheus, that wiſe ſtateſ- " man whom Pandora could not cozen, having the preſent apprehenſion " of the danger by his quick judgement and intelligence, ſecretly paſſes " into heaven, ſteales out a fire from thence, infuſes it into man, by that " inflames his minde with a divine ſpirit and wiſdom, and therein gives " him a full ſupplie for all! For all the excellence of the creatures he " had a far more excellence in this. This one was for them all. No " ſtrength nor agility could match it. All motions and abilities came " ſhort of this perfection. The moſt choice armes of nature have " their ſuperlative in its arts. All the arts of Vulcan and Minerva " have their comparative herein. In this divine fire and ſpirit, this " ſupernaturall influence of the Minde, all excellence organicall is ſurpaſt; " it is the tranſcendant of them all; nothing can come to match it; " nothing can impeach it; but man therein is an abſolute maſter of " himſelf; his own ſafetie and tranquilitie by God (for ſo we muſt " remember the Ethicks did expreſſe it) are made dependant on himſelf. " And in that ſelf-dependance, in the neglect of others, in the intire " rule and dominion of himſelfe, the affections being compoſed, the " actions ſoe directed, is the perfection of our government, that *ſummum* " *bonum* in philoſophie, the *bonum publicum* in our pollicie, the true end " and object of this MONARCHY OF MAN."

And ſo death found the writer, abſolute maſter of himſelf. The throne of his priſon ſufficed for that monarchy; and he was ſatisfied to take his place among the ſovereigns whoſe power has its beginning, not its ending, at the grave.

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